

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of FRED M. VINSON, of Kentucky, to be associate justice, United States Court of Appeals for the District of Columbia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John P. McMahon, of the District of Columbia, to be judge of the police court for the District of Columbia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That completes the Executive Calendar.

RECESS

The Senate resumed legislative session.

Mr. BARKLEY. I move the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 33 minutes p. m.) the Senate took a recess until tomorrow, Friday, December 10, 1937, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 9 (legislative day of November 16), 1937

UNITED STATES COURT OF CUSTOMS AND PATENT APPEALS

Joseph R. Jackson to be associate judge, United States Court of Customs and Patent Appeals.

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Henry White Edgerton to be an associate justice, United States Court of Appeals for the District of Columbia.

FRED M. VINSON to be an associate justice, United States Court of Appeals for the District of Columbia.

POLICE COURT FOR THE DISTRICT OF COLUMBIA

John P. McMahon to be judge of the police court for the District of Columbia.

HOUSE OF REPRESENTATIVES

THURSDAY, DECEMBER 9, 1937

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Drawn by the countless memories of Thy mercy, our Father, we seek these moments of prayer. Thou who art the font whence flow the cleansing streams of the higher life, be pleased to forgive us our sins. Do Thou preserve our going out and our coming in from this time forth and forevermore. Clothe us with that strength that comes from knowledge, conviction, and courage that we may stand for the right. Heavenly Father, when we live by rectitude, by justice, and by honesty, we are secure in the presence of temptation, pride, and false presumption. By example and precept may we be better men, better neighbors, and better citizens. We pray that the spirit of our Lord and Savior may lift us above all littleness, all narrowness, and all untruth. In His holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. ANDERSON of Missouri. Mr. Speaker, I renew my request to extend my remarks in the RECORD by including therein a statement of Mr. Albert L. Dean. I have an estimate from the printer and the cost of printing will be \$630.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DIES. Mr. Speaker, I ask unanimous consent to insert in the CONGRESSIONAL RECORD a statement by H. C. Fleming, president of the Oil Workers' International Union,

giving the grounds of the opposition of that organization to the pending wage and hour bill, and also to include therein an amendment proposed by him.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SHAFER of Michigan asked and was given permission to extend his own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentlewoman from Massachusetts [Mrs. ROGERS], who has been assigned time to address the House today, may be permitted to speak tomorrow following the special orders already entered.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE FARM BILL

Mr. JONES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8505) to provide for the conservation of national soil resources and to provide an adequate and balanced flow of agricultural commodities in interstate and foreign commerce.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8505, with Mr. WARREN in the chair.

The Clerk read the title of the bill.

Mr. ANDRESEN of Minnesota. Mr. Chairman, we have some important amendments coming up and there are very few Members present. I therefore make the point of order there is not a quorum present.

Mr. JONES. Mr. Chairman, I think the Members will gather in a little while, and I wonder if we might have, perhaps, a little discussion or dispose of some other amendments that are not controversial.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I withhold the point temporarily.

Mr. RICH. Mr. Chairman, does not the gentleman think we ought to have more than a dozen Members here when we are discussing this farm bill?

Mr. JONES. Of course, the gentleman can be the judge of that, but if the gentleman wants to insist on the point of order—

Mr. RICH. Mr. Chairman, it seems to me we ought to have more Members here, but I shall not insist on the point of order.

The CHAIRMAN. When the Committee rose on yesterday three amendments had been offered, and, by unanimous consent, their consideration went over until today. One amendment was offered by the gentleman from Wisconsin [Mr. REILLY], another by the gentleman from Kansas [Mr. CARLSON], and the third by the gentleman from Minnesota [Mr. ANDRESEN].

Mr. JONES. Mr. Chairman, I ask unanimous consent, notwithstanding the pending amendments, that the Committee may consider an amendment which will be offered by the gentleman from Iowa [Mr. GILCHRIST].

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GILCHRIST. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GILCHRIST: On page 39, line 7, strike out the first two sentences in paragraph (b), down to and including the word "amount" in line 16, and insert:

"A farmer shall be presumed to have complied with his farm-marketing quota with respect to any crop as long as there is stored under seal on his farm or in a storage crib rented by him or under his control an amount of field corn equal to the storage amount applicable to his crop, as ascertained under section 324.

If there is not stored under seal on the farm or in such cribs an amount of field corn equal to such storage amount, the farmer shall be presumed to have marketed field corn in excess of his farm-marketing quota to the extent that the amount of field corn so stored is less than such storage amount."

Mr. GILCHRIST. Mr. Chairman, this amendment is uniform in its operation. The present bill reads that the corn shall be stored on the owner's farm. It so happens that oftentimes an owner may have other use for the crib on his farm, and he may have a crib or a storage bin on some other piece of property that he owns which would be equally serviceable in storing the corn.

Mr. JONES. It seems to me, Mr. Chairman, that is an improvement. Is that the only change made by the amendment?

Mr. GILCHRIST. That is absolutely the only change. Instead of saying "on his farm" the amendment adds "or in storage rented by him or under his control."

Mr. ANDRESEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. GILCHRIST. Yes.

Mr. ANDRESEN of Minnesota. Does the gentleman strike out all of subsection (b)?

Mr. GILCHRIST. No; I propose to strike out the first two sentences of subsection (b). That is all. It relates to nothing in the world except to allow the farmer to store corn not alone on his farm, but also to store it in a crib controlled by him. If he has some other suitable place rented by him or under his control, this amendment will permit him to store it there also. There are some farmers who may not be able to store corn on their own farms but who have some suitable place elsewhere. I know of such cases.

Mr. JONES. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

Mr. JONES. Mr. Chairman, I offer the following amendments which I send to the desk and ask to have read.

The Clerk read as follows:

Committee amendment offered by Mr. JONES: Page 35, line 20, after the word "year", insert "and shall remain in effect until terminated in accordance with the provisions of this part."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Committee amendment offered by Mr. JONES: Page 41, lines 6, 15, and 23, before the word "percentage", insert "marketing."

The amendment was agreed to.

Mr. JONES. Mr. Chairman, we are going to try to finish the reading of the bill today. I understand it is the purpose of the gentleman from Nebraska [Mr. COFFEE] to move to strike out the marketing quotas for corn, that is, all of part III. I ask unanimous consent that when the other amendments are disposed of and his amendment is under consideration, the time for discussion of that particular motion be limited to 30 minutes. The whole subject has been gone over very thoroughly.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that when the amendment to be offered by the gentleman from Nebraska [Mr. COFFEE] to strike out part III, is presented, the time for debate upon it be limited to 30 minutes. Is there objection?

Mr. STEFAN. Mr. Chairman, I reserve the right to object. Is that a similar amendment to the one we had with reference to wheat?

Mr. JONES. It is. It is just a motion to strike out.

The CHAIRMAN. Is there objection?

Mr. RICH. Mr. Chairman, I reserve the right to object. What arrangement has the Chairman made to add to this bill some amendment whereby it will take care of the expense in connection with the operation of this agricultural bill?

Mr. JONES. No provision is being made for the raising of any money. As the gentleman knows, the question of

raising revenue is primarily within the jurisdiction of another committee.

Mr. RICH. Did not the President send word down to the gentleman as chairman of this committee that he should make arrangements to take care of raising the additional funds?

Mr. JONES. No. If the gentleman will read that letter again, he will see that it refers to any expenditure in excess of existing planned expenditures. The present Soil Conservation Act authorizes the appropriation of the \$500,000,000, and no additional funds are made necessary by this bill. Some may be needed. I wish we had some method of raising the money.

Mr. RICH. If the gentleman can read into the President's message that he did not want to raise the additional funds, well and good. I could not read that. If the gentleman will look at the Treasury statement, he will find that somebody in this House is responsible for getting the money to take care of this bill, and on whom is it intended to place that burden or who is going to assume that responsibility?

Mr. JONES. The gentleman himself has been lecturing the House continuously about matters of this kind. Perhaps he can suggest a method?

Mr. RICH. Oh, the House will pay no attention to me. I have asked continually where they are going to get the money and they have paid no attention to the question at all.

Mr. JONES. Does not the gentleman think that I have enough of a job here without undertaking what he has in mind?

Mr. RICH. Yes; the gentleman has a real job on his hands.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. JONES. Mr. Chairman, what is the first amendment to be considered?

The CHAIRMAN. The first amendment is the amendment offered by the gentleman from Wisconsin [Mr. REILLY].

Mr. REES of Kansas. Mr. Chairman, I offer a substitute amendment for the amendment of the gentleman from Wisconsin [Mr. REILLY], which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. REES of Kansas as a substitute for the amendment offered by Mr. REILLY: On page 36, line 9, after the word "corn", insert "which is not used as silage."

Page 37, line 15, after the word "corn", insert "which is not used as silage."

Page 38, line 3, after the word "corn", insert "which is not used as silage."

Page 38, line 6, strike out "No corn used for silage."

Page 38, line 7, after the word "corn", insert "which is not used as silage."

Page 38, strike out lines 10 to 21, inclusive, and in line 22 strike out subsection "(c)" and insert subsection "(b)."

Page 38, line 24, after the word "corn", insert "which is not used as silage."

The CHAIRMAN. The Chair informs the gentleman from Kansas that he cannot offer that as a substitute, because it is not a substitute. The Chair will permit the gentleman from Kansas to offer it as an amendment to the amendment offered by the gentleman from Wisconsin.

Mr. REES of Kansas. Mr. Chairman, I offer it as an amendment to the amendment of the gentleman from Wisconsin.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I make the point of order that there is no quorum present. This is an important amendment, and the Members should be here to listen to the discussion.

Mr. JONES. Will the gentleman withhold that for just a moment?

Mr. ANDRESEN of Minnesota. I wonder if there was an effort made by the various gentlemen to come to an agreement on the question of silage?

Mr. REES of Kansas. There was.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I insist on the point of no quorum.

The CHAIRMAN (Mr. WARREN). The Chair will count. [After counting.] Forty-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 11]

Aleshire	Driver	Jenkins, Ohio	Pettengill
Allen, Del.	Eicher	Johnson, Minn.	Phillips
Andrews	Elliott	Kitchens	Polk
Atkinson	Engel	Kniffin	Quinn
Binderup	Evans	Kocalkowski	Reece, Tenn.
Boylan, N. Y.	Faddis	Lamneck	Schrugham
Brooks	Farley	Lea	Simpson
Buck	Ferguson	Lemke	Smith, Maine
Buckley, N. Y.	Flannery	Lewis, Colo.	Smith, Va.
Caldwell	Ford, Calif.	Lewis, Md.	Smith, Wash.
Cannon, Wis.	Frey, Pa.	McClellan	Smith, W. Va.
Clark, N. C.	Gamble, N. Y.	McGehee	Somers, N. Y.
Coffee, Wash.	Gambrill, Md.	McLaughlin	Stack
Cole, Md.	Gasque	Maas	Sweeney
Costello	Gearhart	Magnuson	Swope
Cravens	Gifford	Maloney	Taylor, Colo.
Crosby	Green	Meeks	Thurston
Crosser	Gwynne	Mouton	Tolan
Daly	Haines	O'Connell, Mont.	Weaver
Delaney	Hamilton	O'Connor, Mont.	Whelchel
Dempsey	Harlan	O'Day	White, Ohio
Dingell	Harter	Palmisano	Williams
Dixon	Hendricks	Patterson	Withrow
Dorsey	Hildebrandt	Pearson	Woodruff
Douglas	Holmes	Peterson, Fla.	
Drewry, Va.	Imhoff	Peterson, Ga.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WARREN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 8505; and finding itself without a quorum, he directed the roll to be called, when 328 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER. The Committee will resume its sitting.

The CHAIRMAN. The gentleman from Kansas, [Mr. REES] is recognized for 5 minutes.

Mr. JONES. Mr. Chairman, I desire to prefer a unanimous-consent request. I understand these gentlemen are about to work out an agreement on the question of silage. I ask unanimous consent that all amendments respecting silage be deferred for the present, and that we take up other amendments which will be offered by the gentleman from Illinois [Mr. LUCAS], temporarily.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. JONES]?

There was no objection.

Mr. LUCAS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

Mr. LUCAS. Mr. Chairman, I have two other amendments in addition to the one now offered. Each amendment rather hinges upon the other, and I ask unanimous consent that the three amendments, all of which are short, may be read at this time.

The CHAIRMAN. And be considered together?

Mr. LUCAS. No, Mr. Chairman; not considered together.

The CHAIRMAN. Without objection, the Clerk will report all three amendments.

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. LUCAS: On page 32, line 6, strike out the figure "15" and insert in lieu thereof the figure "10."

On page 35, line 17, strike out "the normal supply thereof by more than 15 percent" and insert in lieu thereof "the reserve supply level."

On page 37, lines 8 and 9, strike out "the normal supply plus 15 percent thereof" and insert in lieu thereof "the reserve supply level."

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. LUCAS. Mr. Chairman, a great majority of the Members of Congress coming from the commercial corn-producing area honestly and sincerely hope that the majority Members

of this House will respect our desires and our wishes in connection with a redefinition of "reserve supply level." Under the definition of "reserve supply level," as written in this bill, we find that a normal year's domestic consumption and export of field corn is 357,000,000 bushels, when the 15 percent is applied. We of the Corn Belt district have considered this base in attempting to treat adequately the normal supply of field corn, in cases of drought, in cases of flood or other adverse circumstances, as well as in the cases of years of plenty. We undertake to say that if this bill is to become effective, from the standpoint of the corn producer in the agricultural areas, the reserve supply level must be decreased, and these other amendments, hinging upon the first, should be adopted.

It should be remembered that this redefining of "reserve supply level" in no wise affects the definition of "reserve supply level" in wheat, cotton, or any other basic commodity. It is truly a corn problem, and does not affect any other sections of the country.

Some 60 Members of the House of Representatives in this commercial corn-producing area request that these amendments be adopted by the House. If the amendments are adopted it will be the first step in reducing the quotas on corn to an amount where we feel it will justify the corn men in this Congress voting for this bill.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. LUCAS. Yes; I yield.

Mr. HOPE. Has the gentleman given any consideration to the problem of the use of substitutes in the event that the supply of corn is reduced below the amount which it would be if the present terms of the bill are carried out?

Mr. LUCAS. I have given some thought to that, but I feel, with all due deference to the suggestion of the gentleman from Kansas, that if we have to wait in the Corn Belt district for 600,000,000 bushels of corn to be placed as surplus, under storage, before marketing quotas go into effect, the financial structure, in attempting to take care of that 600,000,000 bushels, will absolutely decrease to the level of ruin as far as corn is concerned. In other words, if you are going to have quotas, and if you believe in quotas, you ought to operate from an effective base and not attempt to delude the farmers in any section of the country. But you have passed on wheat and you have passed on cotton, but we are still making an honest attempt to write legislation which will not fool the American farmer insofar as corn is concerned. When I return to my district and the farmers ask me what we did for them in constructive legislation, I sincerely submit that I would be compelled to say absolutely nothing, unless my amendment is adopted. As a member of the Agriculture Committee I have labored long and faithfully during the last few weeks trying to bring to this Congress what I believe the commercial corn-producing area needs for an effective program. For 20 years we have tried to control the chronic surplus, and that is presumed to be the philosophy of this bill, but if I can read the English language this bill increases the surplus. Yes, my colleagues, the old story familiar to the farmer is being rewritten:

The more he raised the less he got;
The more he worked the harder his lot.

I trust that our wishes may be respected and the amendment will be adopted.

Mr. NELSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I trust that this amendment may not be adopted. I want to vote for this bill. The result of this amendment, if adopted, will be that we shall have a corn quota, a marketing restriction, in effect practically all the time.

As a member of the subcommittee that worked on the subject of corn, I may say to you that we gave most careful consideration to it; it was thoroughly threshed out in our committee and we reported back to the full committee and that report was approved by the entire committee. I want you to get a picture of the whole question which is whether

you want a corn quota in effect most of the time or only when it is needed, only when we have a large crop.

Secretary Wallace in a letter to Senators POPE and McGILL a few days ago declared that the bill was unduly restrictive. We had with us before our committee Administrator Tolley who agreed that the figures as written in this bill are reasonable and proper. They were approved by Administrator Tolley and also by the Secretary of Agriculture.

Let me add that I speak for the general farmer, the man who feeds hogs, cattle, and other livestock, or is engaged in dairying or poultry raising. I fed \$1.45 corn to my stock last spring, and I can say to you that \$1.45 corn, if it were possible to raise it to that figure—and it is a very high price that the commercial corn areas of this country want—would be just as hurtful to the average farmer, who feeds livestock instead of selling his corn, as 25- or 35-cent corn.

Mr. LUCAS. Mr. Chairman, will the gentleman yield at that point?

Mr. NELSON. Let me continue my statement first, please.

The proposal, I feel, is based largely on the thought that a small yield means a high price. This is not true; small yields have frequently brought low prices, and large yields have brought high prices; in fact, throughout a term of years, if you will turn to the official figures of the United States Department of Agriculture, you will find that the corn farmer of this country, the average farmer, has gotten more for a good crop than he has when we had a crop failure. Listen to these figures: In 1930 the corn yield for the United States was a record high. We had 3,071,000,000 bushels. That crop brought an average price of 61 cents a bushel; in other words, it brought \$1,873,000,000. Keep these figures in mind. In 1934 the corn yield was very low; it was below 1,381,000,000 bushels, and it sold at 85 cents. It brought, not \$1,873,000,000, but only \$1,381,000,000. Despite a somewhat smaller price for the big 1930 crop the farmers of this country got \$700,000,000 more for it than they did for the short crop.

Mr. Chairman, I speak for the real corn growers of this country, for all the corn growers, not for a limited number in a restricted district in Illinois, Iowa, and Indiana.

So, Mr. Chairman, I feel that the amendment as proposed by my colleague from Illinois should be defeated. The figures as written in the bill have the approval of the Committee on Agriculture, of Administrator Tolley, and Secretary of Agriculture Wallace. Furthermore, they represent the views of most farmers, the men whose interests should be placed foremost. [Applause.]

[Here the gavel fell.]

Mr. THOMPSON of Illinois. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, it is to be assumed that the purpose of this proposed farm legislation is to stabilize prices for the farmers of the United States. Coming from the Corn Belt of the Middle West I believe that I can speak for most of my colleagues, both on the Republican as well as the Democratic side of the aisle, and say that it is absolutely essential that we have the adoption of the Lucas amendment if this bill is to be in any way effective as far as the corn farmer is concerned.

The bill as written and reported to the House by our Committee on Agriculture provides that the size of the granary as far as corn is concerned shall be about 15 percent above the normal consumption and export; and the records of the Department will show that we have never carried over more than 7 percent in a normal year over a long period of years.

We have heard much this year, Mr. Chairman, about the bumper corn crop. We have had a good corn crop, yet it is only about 300,000,000 bushels more than normal. With this comparatively small increase, however, we have seen the price of corn drop from \$1.35 to about 35 cents or 40 cents on the farms of Illinois, Indiana, Missouri, and Iowa. If a small carry-over, comparatively speaking, of 300,000,000 bushels in 1 year—or, rather, an excess production in 1 year—will crash the price more than 50 percent, all of us

shudder to think what will happen if we are going to have a perpetual carry-over of 15 percent of the normal crop.

I make the prediction that if this bill becomes a law and the corn provision remains intact as reported by the committee, we shall see in this country in another good crop year, so far as corn is concerned, the price tumble down to 25 cents or 28 cents a bushel, and certainly make a mockery of the Congress of the United States in its attempt to write a farm bill to stabilize prices at somewhere near a parity level. The parity price of corn today is approximately 87 cents, yet we are witnessing the spectacle of the farmers of the Middle West receiving less than half of this price.

We are asked to support a provision in this bill that will increase the carry-over to such an extent that nothing can be expected except abnormally low prices, almost as low, I may say, as we experienced in 1932 and early 1933.

On yesterday the Committee in its wisdom saw fit to knock out the mandatory-loan feature for corn, and I have no hesitancy in saying, speaking for myself only, because I have no right to speak for any of my colleagues from the Corn Belt, that if we cannot get the Lucas amendment written into this bill the entire piece of proposed legislation is nothing but a gesture. It is a misnomer and will not help anybody in the Corn Belt. As much as I would like to see constructive farm legislation written into law, I will be obliged to vote against the bill, because I cannot go back to my corn farmers and tell them I attempted to and helped to pass a law which actually reduced the price of corn, and I cannot tell them I am in favor of a bill that will do almost everything but stabilize the price of corn and the price of all other farm commodities directly dependent upon the price of corn. Therefore, I trust the Committee will adopt the amendment offered by my colleague the gentleman from Illinois [Mr. LUCAS]. [Applause.]

[Here the gavel fell.]

Mr. GREENWOOD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am in favor of the Lucas amendment as the last vestige of hope this bill has of helping the corn producers of the Middle West. I represent part of this territory. Many of my farmers are also feeders of livestock.

A large proportion of the corn produced in Indiana and Illinois is fed by the farmers on their own farms, therefore my problem is not different from that of my colleague from Missouri [Mr. NELSON] or the gentleman from Nebraska [Mr. COFFEE]. I am also interested in the price of livestock. But the statistics for the last series of years show that the price of hogs and cattle on the market follows the price of corn. It has not been over 4 weeks since the Department of Agriculture advised the farmers that the price of hogs and cattle was not going down because of scarcity. However, corn went from over a dollar to less than 40 cents a bushel, and the price of livestock has followed, as it always does, this phenomenal decrease in the price of corn.

The normal supply of corn figured throughout many years has been 2,380,000,000 bushels on an annual basis. They propose a marketing quota be placed in the bill at 2,900,000,000 bushels, more than 600,000,000 bushels above the normal supply. This year, with a so-called bumper crop, we had 2,600,000,000 bushels, and with the 60,000,000 bushels carry-over, a total of 2,700,000,000 bushels; in other words, 200,000,000 bushels less than the figures placed in this bill—2,900,000,000 bushels—before any marketing quota can go into effect.

Why deceive the American farmers into believing they will get a bill which will work so far as marketing their products in an orderly manner is concerned? Why place a limitation so high it will be absolutely impossible to work or even operate under it? If there is anything in this bill, so far as concerns marketing quotas, that will help corn, cotton, or anything else I fail to find it. I am surprised a bill should come from a great committee like the Committee on Agriculture based on a theory you can have regulation of market quotas or markets and yet be absolutely devoid of any provisions that will offer any hope, under the philosophy

as advocated by that committee. Therefore, I am in favor of helping at least one branch of American agriculture, the American corn farmer and stock raiser, because my friends have adopted a fatal view so far as the price of cattle is concerned.

Mr. MAY. As I understand the gentleman's argument, this bill will not apply to the corn crop until there is a crop totaling 2,900,000,000 bushels?

Mr. GREENWOOD. Yes; or 200,000,000 bushels more than this year's crop, which is considered a bumper crop.

[Here the gavel fell.]

Mr. GILCHRIST. Mr. Chairman, I am equally well satisfied, as some of these gentlemen are, that this bill will be ruined if the Lucas amendment is agreed to. The only argument offered here is that we have seen corn drop down to 40 cents from in the neighborhood of 90 cents or \$1. But these Members do not tell you why. In the committee they did and that is why the committee brought out the bill exactly as it is now. That is why, when the question came up, the committee believed it ought to follow the advice of the men who will put this law into effect and who will administer it. That is what Mr. Talley, in the Department of Agriculture came before the committee and requested—this quota as written in the bill. That is also what Mr. Claude Wickard, also of the Department of Agriculture, advised, and he will assist in administering the bill.

Mr. Chairman, do you know why corn is so low? It would not be low today if this bill had been in effect during the past 3, 4, or 5 years. The market for corn has been taken away from us because there are not sufficient hogs in this country. Read the market reports.

You will find that at no time during this century has the hog population been as low as in the last 3 years—1935, 1936, and 1937.

The facts are that the hog population has never been so low in this century as it has been during the last 3 years. This has taken away the market for corn, and this is the reason the corn crop now coming on the market is so low in price.

If there had been, during the last 3 or 4 years, a level supply of corn, the hog population would have been level, too. The hog raisers would not have gone out of hog production if the corn supply had been about on a level with what it ought to have been. Therefore, we have lost the market for corn. The only thing the Members in favor of this amendment argue is that corn has gone so low. The answer is because the market has been taken away from corn, because there are so few hogs to eat the corn.

The men who are to administer this bill know what they ought to have. Why should you submit to the opinion of those who are not informed about the question? These men who are to administer the bill have appeared before the committee. The committee has been strong in its support of the quotas in the present bill and has voted down the proposed amendment. We ought to follow the committee. There is something to be said about moderation in respect of when the quotas should go on. We have heard these fervent orators speak about liberty. Of course, there is some argument there, but we ought to be moderate. If the Lucas amendment is agreed to it will put a quota on corn on an average approximating about every other year. That is just too much and too often.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Iowa may be extended 5 minutes in order that I may propound an inquiry to him.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. The gentleman has stated that witnesses from the Department of Agriculture told the committee why corn has gone down.

Mr. GILCHRIST. No; I did not say that. I did say the representatives of the Department of Agriculture who are to

administer the bill came before us and told us they wanted the quota fixed as now named in the bill.

Mr. MAY. Did they tell the committee anything about the reason why the prices of corn and cattle have gone down in the last few months, and if so, will the gentleman tell us why?

Mr. GILCHRIST. No; the gentlemen did not tell that to the committee. I told it to the committee. I was informed by the reports which came out in the 1937 yearbook and by statements which were made to me by gentlemen in the Department. I do not know that they specifically spoke about this matter, but they did speak to me about it personally, and the matter of the drop in the price of corn was before the committee.

Mr. MAY. The gentleman from Missouri [Mr. CANNON] yesterday made the statement the price of cattle followed the price of corn, that when corn was down cattle were down, and when corn was up cattle were up. Has the gentleman any answer to this statement?

Mr. GILCHRIST. Yes; that is true, but there is a lag. When corn is low everybody goes into the production of hogs, and about 9 months or so later there is such a large number of hogs the price of hogs goes down. The theory of this bill is to keep the supply level at all times, so there will be a sufficient supply and we shall not have the ups and downs in the market we have heretofore had. That is all there is to this bill. We want a good, fair price for corn at all times. We should have, as much as it costs to produce corn, with a fair profit.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. GILCHRIST. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. Does the gentleman believe the farmers in Iowa want this quota provision to go into effect this next year?

Mr. GILCHRIST. This year?

Mr. COFFEE of Nebraska. Yes.

Mr. GILCHRIST. I have no means of knowing what they would say about it, but I believe the farmers of Iowa do not want the quota to go into effect under present conditions with the amount which is now being produced; because they know what we mean by this bill is to get good, fair prices and then to keep them level in all times and not have the highs and the lows which I mentioned a while ago.

Mr. LUCAS. Mr. Chairman, will the gentleman yield?

Mr. GILCHRIST. I yield to the gentleman from Illinois.

Mr. LUCAS. May I ask the gentleman what he proposes to do with the 600,000,000 bushels of surplus?

Mr. GILCHRIST. My understanding is that the surplus necessary to a safe margin in the ever-normal granary is approximately 350,000,000 bushels. If the gentleman's figures are different, they disagree with mine and with the figures which the Secretary has published and of which he spoke at Indianapolis about 2 or 3 weeks ago.

Mr. ANDRESEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. GILCHRIST. I yield to the gentleman from Minnesota.

Mr. ANDRESEN of Minnesota. It is my understanding the figures already in the bill as to supplies are the ones submitted and recommended by the Secretary of Agriculture.

Mr. GILCHRIST. The gentleman is correct.

Mr. ANDRESEN of Minnesota. This is the understanding that was had in the committee as well.

Mr. GILCHRIST. That is true.

[Here the gavel fell.]

Mr. BIERMANN. Mr. Chairman, I move to strike out the last two words.

Mr. JONES. Mr. Chairman, if my colleague will permit, I would like to submit a unanimous-consent request.

Mr. Chairman, I ask unanimous consent that all debate on this particular amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BIERMANN. Mr. Chairman, the philosophy of this bill is that marketing quotas be used to keep off the market that part of the crop that wrecks the price.

For the past 10 years the average domestic consumption and the foreign exports of field corn have been 2,380,000,000 bushels. The point at which the marketing quota would go into effect under this bill would be 2,928,000,000 bushels. In other words, we would have to have almost—

Mr. GILCHRIST. Mr. Chairman, will the gentleman yield?

Mr. BIERMANN. Pardon me, I cannot yield.

Mr. GILCHRIST. The gentleman's figures are wrong.

Mr. BIERMANN. If I make one mistake in what I have to say in my 5 minutes I will still be 10 or 15 mistakes short of the number of mistakes the gentleman made in his 10 minutes. [Laughter.]

In other words, under this bill we would have to have nearly 600,000,000 bushels more than the domestic consumption and the foreign exports would be able to take care of before marketing quotas would go into effect. I submit to you that the marketing quotas so far as corn is concerned would be useless in such circumstances. The price would be ruined before they would go into effect.

This year we have a total supply, which means the carry-over plus this year's production of 2,711,000,000 bushels, and this was sufficient to wreck the market and bring down the price. Under the bill as written we would have to have 217,000,000 bushels more to get a quota than we had this year when we had the price wrecked.

Something has been said about the corn subcommittee of the Committee on Agriculture. The corn subcommittee is composed of five members and three of those members are in favor of the Lucas amendment.

Mr. GILCHRIST. Mr. Chairman, will the gentleman yield there?

Mr. BIERMANN. I cannot yield. The question is whether we are going to have the marketing quotas go into effect at a point where they will keep the price-breaking surplus off the market or whether we are going to wait until the supply gets so big that the price has already been ruined. This is the only question here, and I do not think I am at all inaccurate when I say that nearly all the Congressmen and Congresswomen from the corn-producing area of the United States want this Lucas amendment. We feel it is vital to the success of the corn section of the bill and I ask you to go along with us.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, it is unfortunate that there is so much heat amongst the corn farmers here in the Committee with reference to this amendment. Ordinarily, they are together on most problems, but here we have one group of the corn representatives who favor the Secretary of Agriculture and the program that he has announced for corn, and then we find another group coming from the Secretary's own party who are opposing the principles advocated and laid down by him.

If you want immediate control over the corn farmers in the corn area, then you surely should vote for the amendment offered by the gentleman from Illinois; that is, if you want to begin your regimentation next year.

If you want to wait possibly 8 to 10 or 12 or 20 years before the regimentation begins, then you should leave the bill in its present position, having supplies and quotas fixed at about 2,900,000,000 bushels. That is what the Secretary wants to leave it at. However, if you want to injure the dairy sections so that the farmers will not be able to produce enough silage and corn to feed their dairy cattle and their livestock, I suppose you should go for the lower figures.

I am opposed to compulsory control, whether it becomes effective in 1938 or 1958. I think it is un-American and unsound, and any attempt made here to write immediate or

future control should be voted down by the committee and by the House.

I have received hundreds of letters during the past 2 weeks during the consideration of this debate on this bill against the compulsory provisions. The letters are coming from the small farmers who have only 40 or 80 or 100 acres of land, who tell me they are opposed to compulsion in any form for the reason that they are now unable to produce enough feed on their farms to feed their dairy cattle and livestock. This amendment is not in their interest.

Mr. REILLY. Is there any compulsion under this bill until two-thirds of the farmers vote for compulsion?

Mr. ANDRESEN of Minnesota. The bill provides that if more than one-third of the farmers, or I might say if less than one-third of the farmers vote against the Secretary's compulsion order, the compulsion will go into effect. If two-thirds of the farmers vote for it, it becomes operative, and under the provisions of the bill, if the referendum is constitutional, the farmers will enact or defeat the legislation or executive order of the Secretary.

In our committee, and I want to be frank on this as long as a disagreement has arisen between the committee Members, we agreed that quotas approximating 2,900,000,000 bushels of corn should be in the bill, and that is the way the bill was written. If you are to stand by the Committee on Agriculture, then you should vote down this amendment, but if you are for immediate control of the corn farmers of the United States, you should vote for the substitute offered.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. All time has expired. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. WADSWORTH) there were—ayes 54, noes 64.

Mr. LUCAS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. LUCAS and Mr. GILCHRIST to act as tellers.

The Committee again divided; and the tellers reported there were ayes 59 and noes 78.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Illinois offers two further amendments.

Mr. LUCAS. Mr. Chairman, in view of the teller vote, I will ask unanimous consent to withdraw the two following amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I desire to offer an amendment.

Mr. JONES. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JONES. Is this the silage amendment?

Mr. ANDRESEN of Minnesota. It is not.

Mr. JONES. Mr. Chairman, I would like to dispose of the pending silage amendment. I think we have come to an agreement. I ask unanimous consent that that be taken up at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair will state that some time ago the gentleman from Kansas [Mr. REES], offered what he termed a substitute for the amendment offered by the gentleman from Wisconsin [Mr. REILLY.] The Chair promptly ruled that it was not a substitute, and suggested to the gentleman from Kansas perhaps it could be considered as an amendment to the amendment. The Chair has since studied the amendment and is of the opinion that it is not an amendment to the Reilly amendment, but is merely a perfecting amendment. In view of that, the Chair will recognize the gentleman from Kansas [Mr. REES], to offer a perfecting amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. REES of Kansas: Page 36, line 9, after the word "corn", insert "which is not used as silage";

Page 37, line 15, after the word "corn", insert "which is not used as silage."

Page 38, line 3, strike out "planted to field corn", and insert "of field corn which is not used as silage."

Page 38, line 6, strike out "no corn used for silage."

Page 39, line 7, strike out "planted to field corn" and insert "of field corn which is not used as silage."

Page 38, strike out lines 10 to 21, inclusive, and line 22, strike out subsection "(c)" and insert subsection "(b)."

Page 38, line 34, after the word "corn", insert "which is not used as silage."

Mr. JONES. Mr. Chairman, I think the parties interested in this instance are practically agreed. I wonder if we cannot adopt that amendment without debate?

Mr. BOILEAU. Oh, Mr. Chairman, I am very much opposed to this amendment.

Mr. JONES. I wonder if we cannot agree on time for debate. I ask unanimous consent, Mr. Chairman, that all debate on this amendment and all amendments thereto close in 20 minutes after the gentleman from Kansas has concluded.

The CHAIRMAN. The Chair will state that the only thing now before the committee is the amendment offered by the gentleman from Kansas [Mr. REES]. The amendment offered by the gentleman from Wisconsin [Mr. REILLY] is not now before the Committee. What is the gentleman's request?

Mr. REILLY. Mr. Chairman, in view of the fact that the amendment offered by the gentleman from Kansas [Mr. REES] accomplishes just what I wanted to accomplish and would have had to accomplish by several amendments, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 25 minutes.

Mr. BOILEAU. The time to be divided equally between those for and those against?

Mr. JONES. Those who were seeking recognition: Mr. BOILEAU, Mr. KLEBERG, Mr. ANDRESEN of Minnesota, and Mr. REILLY.

Mr. BOILEAU. Mr. Chairman, reserving the right to object, many Members are not familiar with the purport of this amendment. As the debate goes along, some Members who have not now signified a desire to speak may signify a desire to do so. I hope in the allotment of time it will be equally divided between those for and those against the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. BOILEAU. Mr. Chairman, reserving the right to object, I do not know the attitude of those who have asked for time.

Mr. JONES. Mr. Chairman, I will amend the request—that the additional 20 minutes be divided between those in favor of and those opposing the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas, as modified?

There was no objection.

Mr. REES of Kansas. Mr. Chairman, this amendment simply provides that the corn that goes into the silo is not included in the quota. That is all there is to it. If you are in favor of including the corn that goes into the silo, in the quota, then you are opposed to this amendment. If you are in favor of excluding the corn that goes into the silo, then you are in favor of this amendment.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. KELLER. If I understand the gentleman's amendment, this simply increases the quota. Is that right?

Mr. REES of Kansas. If you want to term it that way, you may. After all, as I understand it, so far as raising corn is concerned, the particular thing in which we are interested is the corn which is used in commercial channels. After all, the corn that goes into the silo is green corn. What you do

is grind up green corn together with the fodder and put it in the silo for feed.

It is not used as a fattening feed any more than alfalfa, clover, hay, or feed of that kind; so it really does not affect the corn that is subject to the quota. When we talk of corn as a commercial crop we speak of it as grain. I am speaking about green feed, and silage is green feed. As a matter of fact it amounts to approximately 5 percent of the corn acreage of this country, we are told, over a period of 10 years. That has been the experience.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield for a question.

Mr. MICHENER. As a matter of fact, the tendency would be to avoid the quota by not growing corn as grain but by putting the land into silage and the silage, through cows, into dairy products. This would absolutely ruin the dairy industry.

Mr. REES of Kansas. Oh, I do not think so; I do not think it will ruin the dairy industry at all. It should help it. The theory of this measure is that you are dealing with corn that goes into the channels of interstate commerce. This feed, and that is all it is—feed, therefore, should not be included in the quota; it is not reasonable to include it as such, any more than it would be to include alfalfa, or other feeds that are put in the silo—kaffir corn, sorghum, cane, and so forth. It is not a fattening food; so I say it does not compete with corn as grain and, as a matter of right, ought to be excluded.

We talk a great deal about helping the farmer who owns a family sized farm. This is our opportunity to especially assist such a farmer.

It will help the man who raises a diversity of crops and will prevent him from being penalized under the act if he happens to have a silo full of corn ensilage and at the same time has a crib full of corn. The amendment is fair and equitable. It should be adopted.

The CHAIRMAN. The time of the gentleman from Kansas has expired. The gentleman from Wisconsin [Mr. BOILEAU], is recognized for 5 minutes.

Mr. BOILEAU. Mr. Chairman, the provision that is now written into the bill, I believe, does justice to the hog producers and to the dairy producers. Under the provisions now written into the bill a farmer gets a definite allotment of corn, a definite quota. If he increases the amount of corn that he uses for silage, in other words, if he increases his dairy production, then he is required, when and if the storage quotas go into effect, to store not a larger amount but a larger percentage of the corn that he has for grain. This would prevent the tendency for the farmers in the commercial corn-producing area—bear this in mind, it applies only to the commercial corn-producing area, not to the West, the North or the South—under the provisions now written in the bill there will not be the tendency for the corn farmer to grow less of his field corn at the expense of dairying by increasing the amount he puts in the silo, because if he increases his silage he would do it for the purpose of feeding for milk production. When the storage quotas go into effect he must store a larger percentage of his field corn, not a larger amount. Thus, although there are no benefits given to the dairy industry in this section, the bill has a tendency to protect the dairy industry from an unreasonably increased competition from within the commercial corn-producing area in which area benefits are to be paid to these farmers under the provisions of this bill.

The amendment offered by the gentleman from Kansas provides that silage in the commercial corn-producing area shall not be included as a part of the corn quota. The farmer gets his corn quota of 75 acres, we will say, but plants only 65 acres to field corn. He can take the remaining 10 acres plus the other acreage on his farm, no matter what it is, 25 or 50 additional acres, and use all of that for silage; in other words, he can come within his quota of field corn and increase his production of silage and still have complied with the provisions of the bill.

The natural tendency under such circumstances will be to reduce the production of field corn and to increase more and more the silage. Again I ask you to bear in mind that I am speaking now about the commercial corn-producing area. This does not apply to the other sections of the country. This bill, as I see it, will be an encouragement to every farmer within the so-called corn-producing area to reduce his production of hogs and to increase materially his production of silage, his dairy production.

The provisions of the bill are fair and reasonable. They have the approval of the Department of Agriculture, they had the unanimous approval of the Committee on Agriculture when the matter was under consideration; and I appeal to you not to put this additional acreage into dairy production.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. REES of Kansas. The gentleman understands that this silage is not transported from place to place; it does not go into commerce as such.

Mr. BOILEAU. No. It would not be so bad if it were transported from place to place, because then you might be able to stabilize the dairy industry where it is. The silage is not brought to the cows, the cows are brought to the silage. To adopt this amendment would be to encourage the corn farmer to compete with the dairy industry.

The provisions of the bill as reported by the committee are along the same lines as the so-called Boileau amendment. The provisions now in the bill have the approval of the Department and the approval of the Committee on Agriculture. I appeal to you not to put this additional disadvantage on the dairy industry.

Mr. ANDRESEN of Minnesota. Will the gentleman yield?

Mr. BOILEAU. I yield to the gentleman from Minnesota.

Mr. ANDRESEN of Minnesota. Does not the gentleman believe that the so-called Boileau amendment will take care of this proposition?

Mr. BOILEAU. No, it will not; because of the fact you are by specific provision providing that silage shall not be included within the marketing quotas or the storage quotas. The Boileau amendment applied so far as soil-conservation payments are concerned.

Mr. ANDRESEN of Minnesota. And diversification of land?

Mr. BOILEAU. Under the soil-conservation program; but you are saying specifically to the farmer under this provision, "You can take land out of the production of feeder corn and grain and put it into silage."

Mr. Chairman, there is no sense in disrupting the dairy industry, and I appeal to the Members to follow the advice of your committee and the Department in this respect. [Applause.]

[Here the gavel fell.]

The CHAIRMAN (Mr. COOPER). The gentleman from Wisconsin [Mr. REILLY] is recognized for 5 minutes.

Mr. REILLY. Mr. Chairman, on yesterday I offered an amendment to line 12, page 32, of the pending bill, designed to take cornland devoted to the production of silage out of the commercial corn-producing areas of the bill.

I accepted the amendment offered by the gentleman from Kansas [Mr. REES] to my amendment, because it accomplishes the same purpose that my amendment was intended to accomplish; that is, to take cornland devoted to the production of silage out of the terms of the bill.

Corn is one of our great agricultural crops; in fact, about one-third of all farm lands from which crops are harvested is devoted to the production of field corn. Our corn crop has a value of about 25 percent of the value of all farm crops produced.

We have produced in this country as high as 3,000,000,000 bushels of corn in a single year, and the crop for the present year will amount to about 2,600,000,000 bushels.

The pending bill divides the corn producers of the country into two classes—the commercial corn-producing farmers and the noncommercial corn-producing farmers.

Under this classification about 10 States of the Mississippi and Ohio Valleys and parts of States are classified as commercial corn-producing States and will come under the terms of the bill, while the other 33 States and parts of States are not affected in any way by the pending bill as far as corn production is concerned.

These 10 commercial corn-producing States have a corn acreage of about 48,000,000 acres, while the other States outside the limits of the bill have about 54,000,000 acres planted to corn.

Of our total corn crop about two-thirds will be raised on land coming under the terms of the pending bill.

As a general proposition we have two kinds of farmers who raise corn. Farmers who raise corn for the production of silage, for the feeding of dairy cows, and farmers producing corn for feeding cattle and hogs, and so forth. About 10 percent of the cornland of the country is used for the production of silage.

As this bill now stands 18 counties in Wisconsin, where corn is grown largely for silage purposes used in the production of milk, will come under the terms of this bill; and every farmer in these counties who may grow corn for silage purposes will have a quota, if he should raise more than 400 bushels of corn or has a silage acreage enough to have produced that much corn if it was allowed to mature.

Silage has no place in this bill. I understand the Secretary of Agriculture at one time recommended that the cornland devoted to silage be eliminated from the terms of the bill.

Cornland devoted to silage has no effect on the price of corn. The silage farmers of the country could double their production of silage next year, or any year, and thereby affect not in the least the price of corn. You might just as well include the acreage devoted to the raising of alfalfa or soybeans in the commercial corn-producing areas as to include corn used for silage.

I have three counties in my district that will come within the provisions of the pending bill if the silage provisions are not taken out of the bill. These produce practically no corn for commercial use, and 90 percent of the corn raised is devoted to the production of milk; yet these farmers will have to go under a corn quota if the bill is passed as it now stands—that is, providing they raise more than 400 bushels of corn or silage equivalent to that amount of corn; and these said farmers may have the silage acreage that they now deem necessary to feed their herd of dairy cows reduced.

Again under the terms of the bill a farmer in one county who grows corn largely for silage purposes might be subject to a quota, while his neighbor across the road in another county, under the terms of the bill, would not be subject to any control of the corn acreage he might plant.

Mr. Chairman, I cannot understand why a farmer who raises only 400 bushels of corn either in the form of commercial corn or its silage equivalent should be included in any program looking to the control of corn production in this country.

The farmers who affect the corn production of the country are the farmers who produce thousands of bushels of corn, and they are located only in a few States, and any corn-control program should be concerned only with the large producers of corn, who alone are responsible for crops that depress the price of corn.

The farmers of my district who raise any amount of corn are largely engaged in the production of milk and not of commercial corn, and they are in no way responsible for the harvesting of huge crops of corn that depresses the corn market.

Mr. Chairman, I have great admiration and affection for my colleague [Mr. BOILEAU], and I believe him to be an able and valuable Member of this body; but the dairy farmers of Mr. BOILEAU's district will not be affected by the terms of the pending bill whether silage is included within the bill or not.

The farmers of my colleague's district will be permitted to grow as much corn as they may see fit to grow, and to use it for silage purposes or any other purposes without any

interference through the quota program of this bill, while the dairy farmers of three counties of my district will have to submit to corn quotas.

Mr. BOILEAU. Will the gentleman yield?

Mr. REILLY. I yield to my colleague [Mr. BOILEAU].

Mr. BOILEAU. Does not the gentleman believe that he is inconsistent here as compared to his views on the Boileau amendment which he submitted the other day?

Mr. REILLY. No. I am not inconsistent. I supported the Boileau amendment in order to protect the dairy farmers of the country from the use of a Government subsidy to develop the dairy industry, particularly in the South, and I am supporting the amendment to strike silage from this bill in order to protect the dairy farmers in my district in the State of Wisconsin and other States similarly situated, from a silage and dairy standpoint, from the unjustifiable and useless interference with the production of silage corn. Such interference as provided in the pending bill can accomplish no good in the way of solving the corn problem, but might do much harm.

Mr. KELLER. Will the gentleman yield?

Mr. REILLY. I yield to my colleague from Illinois.

Mr. KELLER. How does the committee stand on this question?

Mr. REILLY. I have no direct information but it would appear that the committee is not fighting the pending amendment.

Under the terms of the bill, Wisconsin farmers who have a large acreage of silage could not produce any corn in excess of 100-bushel exemption allowed by the bill. Wisconsin is not a great hog-producing State but many dairy farmers do raise hogs as a side line for home consumption and also for sale on a small scale.

If the pending bill becomes a law such farmers will be obliged to buy the corn to feed their hogs from some neighbor who was fortunate enough not to come under the terms of this corn-control bill.

Mr. SOUTH. Will the gentleman yield?

Mr. REILLY. I yield to my colleague from Texas.

Mr. SOUTH. Is it not a fact that most of the silage in the areas under discussion is not being fed to dairy cattle but will be fed to beef cattle?

Mr. REILLY. Silage in Wisconsin is fed almost entirely to dairy cattle.

Mr. SOUTH. I am talking about the corn areas.

Mr. REILLY. In Wisconsin, as I have stated, silage is used almost entirely for the production of milk.

Mr. SOUTH. The gentleman misunderstands me. Is it not a fact that in the corn areas the gentleman from Wisconsin [Mr. BOILEAU] is so alarmed about, the silage will not be fed to dairy cows as he fears, but, on the contrary, will be fed to beef cattle.

Mr. REILLY. I think the gentleman is correct as regards feeding in the corn areas.

I trust the committee will approve the amendment.

The CHAIRMAN. The gentleman from Texas [Mr. KLEBERG] is recognized for 5 minutes.

Mr. KLEBERG. Mr. Chairman, all of this discussion here about the particular proposition involved, silage, seems to have become quite nebulous. The gentleman from Illinois [Mr. KELLER] wanted to know if this amendment would increase the corn quota. Another gentleman over here, the gentleman from Wisconsin [Mr. REILLY] is worried about a few grains or kernels of corn which he wants to feed to chickens or hogs. The gentleman from Wisconsin [Mr. BOILEAU] is terribly concerned over the proposition involving the dairy industry of Wisconsin.

As a matter of fact, silage has no more place in this bill than does any one or all of the various grains, sorghums, or other roughage feeds that are fed to livestock in various forms. Once you put corn in the silo, its fat-producing qualities, its high protein content, and its ability to fatten cattle or hogs are nil.

That is out of the picture. Silage is very important as a supporting filler or roughage to corn, cottonseed meal, and

cake, and other high protein feeds which are also important in the fattening of beef cattle. Many of the feeders in the commercial area of the Corn Belt affected by this amendment would be seriously handicapped in their seasonal feeding of corn to beef cattle, which is their business.

Just to boil the thing down in a nutshell, silage should have been expressly excluded from the operation of the corn section from the time it came out of the committee. We would not only have saved time, but we would have kept out of the intersectional dispute which inevitably arises under this kind of legislation, where somebody in one State attempts to go into a business carried on by others in another State. All of the provisions in this bill which have been favored by the Department, as suggested by the gentleman from Wisconsin [Mr. BOILEAU], having to do with the compulsory provision, have not received the thought, the careful attention, and the study from a practical standpoint they should have with regard to how they affect the farmer.

This is not a bill to freeze the dairy industry in one section of the United States. This is not a bill to prevent a man from raising grain sorghum or from using his corn for silage as a filler if he is a beef-cattle man. This section of the bill is directly attacking the operations of a few men whom it is feared will so increase the corn supply of this Nation as to let prices fall again.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. KLEBERG. I yield to the gentleman from Texas.

Mr. SOUTH. The gentleman is an extensive shipper of livestock and beef cattle. Is it not a fact the silage in the corn area under discussion is adapted largely to beef cattle and not to dairy cattle?

Mr. KLEBERG. In the main, of course. I have just brought that out. That is the feeder belt.

Mr. SOUTH. Will not this have the same effect as the Boileau amendment, heretofore agreed to, namely, of placing these areas in a strait jacket and preventing intelligent diversification, which the farmers must have if they are to continue to progress?

Mr. KLEBERG. Of course. Any legislation of this kind is calculated to disrupt and dislocate the general picture and the general economic unit known as American agriculture. Every one of the quota provisions in this bill from start to finish should be stricken out. These provisions mean a dislocation not only of the economic structure of all agriculture but a dislocation of the economic unit operations of every farmer in America, who up to the present has made a reasonable success of farming by his own genius and applied effort without having his operations directed from a cubbyhole here in Washington.

For my part, I hope the Committee will vote to strike silage from the bill, or, if you want to do a really good job in hamstringing our farmers, vote to include also under quotas all of the field sorghums and all of the other feeds which may be fed to dairy cattle. [Applause.]

[Here the gavel fell.]

Mr. ANDRESEN of Minnesota. Mr. Chairman, I dislike very much to disagree with my very good friend the gentleman from Wisconsin, with whom I have been working here for many years in behalf of the dairy industry. I believe he is misinterpreting this amendment, and that after he has considered it from all its angles he will be enthusiastically for it.

Let me give you just a few moments of history in connection with the silage question in this bill. The Secretary of Agriculture and his associates in the Department recommended that we not include silage with field corn. He stated it has no place in the bill, and that the provision is not workable. After the third draft of the committee print and after the subcommittee on corn had started to function, it was decided to include silage as a part of the corn-control scheme, and apparently the idea was sold to the officials in the Department, so now we have the provision in the bill.

All we seek to do by this amendment is to eliminate silage, which should not have been considered in the bill, and to permit farmers to raise a crop which is absolutely necessary

both in the dairy sections and in the livestock-feeding sections if they are to continue these industries as they have done in the past. This corn proposition is limited to the commercial area in this country, which is in parts of 10 States. These 10 States are now the traditional and historic dairy sections of the United States. Wisconsin is supreme in the production of cheese. Minnesota leads all States in the production of butter. Iowa comes next, and then Illinois with butter and fluid milk. The farmers engaged in dairy operations in these States, and most of them are in this commercial corn area, have small farms which probably average from 120 to 150 acres.

They have wide diversity of production on a limited acreage.

Of course, no farmer in this area will plant all of his allotted acreage to soil-depleting crops or silage or field corn. We raise hogs, beef cattle, and dairy cattle, and we must have different types of feed if we are going to continue our traditional production in these States. Therefore, I hope the amendment will be adopted and that silage will be eliminated from the provisions of this bill. [Applause.]

Now, may I ask the chairman of our committee a question? Is my understanding correct that on the gentleman's side they have agreed to this amendment?

Mr. JONES. No. I understood those interested in the matter had agreed to this amendment. There has been no agreement on the proposition as far as our side is concerned. I am rather inclined to leave this to the corn men.

Mr. BOILEAU. How about the dairymen?

Mr. ANDRESEN of Minnesota. I do not see any of the corn men on the floor. As I understood it, a tentative agreement had been reached from the announcement the gentleman made before we started debate.

Mr. JONES. I do not know what the general attitude is on the subject, but I thought those who wanted it had agreed to this amendment.

Mr. BIERMANN. Mr. Chairman, will the gentleman yield?

Mr. ANDRESEN of Minnesota. I yield to the gentleman from Iowa.

Mr. BIERMANN. As long as the gentleman from Wisconsin and others have raised the point of the quota up to nearly 3,000,000,000 bushels, it does not make any difference about this at all. You may as well have the amendment in the bill. It does not make a particle of difference about the quotas.

Mr. ANDRESEN of Minnesota. I think the gentleman is correct.

[Here the gavel fell.]

Mr. BOILEAU. Mr. Chairman, under agreement entered into at the beginning of debate on this amendment, the time, 20 minutes, was to be equally divided between those for and those against the amendment. Five minutes have been used by those opposed to the amendment and 15 minutes by those in favor of the amendment. I ask unanimous consent that I may be allowed to proceed for 5 minutes, if no other Member opposed to the amendment desires such recognition.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that he may be allowed to proceed for 5 minutes. Is there objection?

There was no objection.

Mr. BOILEAU. Mr. Chairman, the distinguished gentleman from Texas [Mr. KLEBERG], a gentleman for whom I have a very high regard, has demonstrated during this debate that his views do not coincide with those who come from the large dairy sections of this country. I appreciate his attitude and appreciate the fact he conscientiously believes as he does. Three other gentlemen have spoken in behalf of this amendment, and I think it is only fair and proper to point out that although some of these gentlemen are recognized as men who come from dairy sections, yet I call your attention to the fact that the district from which

the gentleman from Kansas [Mr. REES] comes is partly within and partly without the so-called commercial corn-producing area. I also wish to point out the fact that the district represented by my distinguished colleague from Wisconsin is partly within and partly without the so-called commercial corn-producing area.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. BOILEAU. In just a moment I shall be pleased to yield.

I wish also to call attention to the fact that the district represented by my distinguished colleague on the committee, the gentleman from Minnesota [Mr. ANDRESEN] is partly within and partly without the commercial corn-producing area.

The gentleman from Minnesota [Mr. ANDRESEN] corrects me and states that his district is entirely within the corn-producing area. I did not understand his district is entirely within the corn-producing area. A large part of his State is not within it and I thought his district was likewise divided.

It seems to me that these gentlemen are acting like they want to eat their cake and keep it, too.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield at that point?

Mr. BOILEAU. I yield; yes.

Mr. WADSWORTH. May I say to the gentleman that I am becoming a little envious. I wish the gentleman would describe my district.

Mr. BOILEAU. Your district, I will say to the gentleman from New York, is situated just about the way mine is. You are going to find that our dairy producers up in your district and in my district, who are not favored by the provisions of this bill, will find dairy cows going down into the commercial corn-producing areas because under the provisions of this amendment they can increase their hog production and at the same time increase their dairy production. There is no restriction at all upon dairy production; and I submit to you that the provisions of this bill, as agreed upon by our committee, under the able leadership of the gentleman from Texas [Mr. JONES], are fair and just; and I further submit that the adoption of the Rees amendment would just mean more dairy cows, more dairy cows, and, yes, more beef cows, too, I will say to the gentlemen from the beef-producing areas of the country, going down into this commercial corn-producing area.

Mr. ANDRESEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. BOILEAU. I am sorry, but 15 minutes has been used by those in favor of the amendment, and, standing here alone, I shall have to use the 10 minutes myself.

I submit to you gentlemen that farmers down in this area will be paid money for the purpose of reducing their corn. What corn? Only that part of their corn they feed their hogs, but they will also be paid to reduce their production of hogs, and encouraged by taking out the silage restrictions to go more extensively into the dairy industry.

This is not fair, and I want to point out to the chairman a very significant fact. In this bill, in determining the commercial corn-producing area, you have not stricken out that provision that silage shall not apply, so that the acreage devoted to silage is included in determining what is the commercial corn-producing area, but when it comes to paying benefits, when it comes to giving out benefits to the hog producers, you say to them, "Although we have considered in the formula determining where the corn commercial area shall be those acres devoted to the production of silage, nevertheless, when it comes to getting benefits all you have to do is to reduce or control your production of grain corn, but as to all the acres on your farm that you want to put into another type of corn that competes with the dairy industry, go to it, fellows, go ahead and compete with dairying all you want. We prevent you from hurting the poor hog

farmers, but pay no attention to the dairy farmers. Sock it to them; give them another blow below the belt." This is what you will do if you adopt this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. REES].

The question was taken; and on a division (demanded by Mr. BOILEAU) there were—ayes 51, noes 31.

So the amendment was agreed to.

Mr. CARLSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CARLSON: On page 37, line 12, after the period, add the following: "Provided further, That the quota provisions of this section shall not apply in any county where during the previous year the average yield of corn was less than 50 percent of the average yield for the 5-year period immediately prior thereto."

Mr. JONES. Mr. Chairman, I understood the gentleman from Kansas was going to change the "county" to "farm."

Mr. CARLSON. Mr. Chairman, after conferring with different Members of the corn section, especially with the gentleman from Illinois [Mr. LUCAS] and the gentleman from Iowa [Mr. BIERMANN], I am at the suggestion of Mr. BIERMANN asking unanimous consent to modify the amendment so that it will apply to any farm in place of "in any county."

The CHAIRMAN. Without objection the amendment will be so modified, as indicated, and the Clerk will report the modified amendment.

The Clerk read as follows:

Page 37, line 12, after the second period, add the following:

"Provided, That the quota provisions of this section shall not apply to any farm where during the previous year the average yield of corn is less than 50 percent of the average yield for the 5-year period immediately prior thereto."

Mr. JONES. Mr. Chairman, I think there should be another word changed. I think the word "where" where it follows the word "farm" should be stricken out and the words "on which" substituted.

Mr. CARLSON. That is correct, and I ask unanimous consent for the suggested change.

The CHAIRMAN. Without objection, the Clerk will make the change suggested.

There was no objection.

Mr. JONES. Mr. Chairman, I understand the corn Members have agreed upon this, and I have no objection to it.

Mr. CARLSON. The adoption of this amendment would be very helpful in the practical administration of this section of the bill. Farmers would not feel that quota provisions are forced on them following a year that they did not produce a crop.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The amendment was agreed to.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I have two amendments at the Clerk's desk which I desire to have submitted.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANDRESEN of Minnesota: Page 39, add a new section at the end of the page, as follows:

"(e) The provisions of this section, 325, shall not be applicable to any farm on which the total acreage devoted to field corn, less the acreage used for silage, is 20 acres or less."

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ANDRESEN of Minnesota. Mr. Chairman, the purpose of this amendment is to secure the same exemption for corn in the corn area as was granted to tobacco and cotton. It will be recalled that amendments have been adopted in the Committee, and also presented by the Committee on Agriculture, which exempt from 2,400 to 3,200 pounds of

tobacco and 1,500 pounds of cotton. That is 3 bales of cotton. The only exemption now provided in the bill for corn in the commercial areas is 400 bushels. That is, the quota does not apply unless a farm raises 400 bushels, as I understand it. This amendment is in line with the recommendation of the Secretary of Agriculture, who recommended to our committee—and we have it in our committee print, No. 3—that 20 acres shall not be included in the total acreage devoted to field corn. Therefore, I have taken the Secretary's suggestion as embodied in his original recommendation, exempting 20 acres of field corn used as such.

Mr. DOXEY. Mr. Chairman, will the gentleman yield?

Mr. ANDRESEN of Minnesota. Yes.

Mr. DOXEY. Of course, whatever suits the corn people suits me, but does the gentleman not think that 20 acres is awfully high? That means nearly 1,000 bushels of corn, if they raise 50 bushels of corn to the acre, and that with the other 400 bushels of exemption seems to me to be pretty high exemption.

Mr. ANDRESEN of Minnesota. Mr. Chairman, it is possible that my distinguished friend from Mississippi can raise 50 bushels or more of corn to the acre in his section. I hope he can. The average production is 30 bushels to the acre, and 20 acres would mean at most 600 bushels.

Mr. DOXEY. Does not the gentleman think that that is pretty high, with the other 400 bushels?

Mr. ANDRESEN of Minnesota. I am sure that amount is not very high, and that more than that is used up on the farm, that is, field corn as feed for livestock and the other animals on the farm. Therefore, I hope the same fairness may be shown to the corn farmers as was shown in the committee in granting the exemption to the cotton and tobacco farmers.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. ANDRESEN of Minnesota. Yes.

Mr. HOOK. Was it not after due consideration that we reconsidered the provisions in the committee print No. 3, and that the present provisions of the exemption, 400 bushels, were put in after complete consideration by the committee?

Mr. ANDRESEN of Minnesota. No; the 400 bushels came in under the formula in the quota which determines the area that shall come in under the provisions of the bill.

Mr. HOOK. Does the gentleman not think that is enough, and did not the committee think that way?

Mr. ANDRESEN of Minnesota. No. This is only a fair proposition. I am asking the House to adopt the amendment as a matter of fairness.

Mr. CUMMINGS. Mr. Chairman, will the gentleman yield?

Mr. ANDRESEN of Minnesota. Yes.

Mr. CUMMINGS. That would make practically 1,000 bushels of corn to the farm?

Mr. ANDRESEN of Minnesota. No; 600 bushels on the average production.

Mr. CUMMINGS. Six hundred bushels plus the four hundred?

Mr. ANDRESEN of Minnesota. No; 20 acres is the exemption.

Mr. CUMMINGS. That would be six hundred in addition to the 400 bushels exempted.

Mr. ANDRESEN of Minnesota. No. This just takes in the acreage, and deals only with acreage and not production.

Mr. CUMMINGS. Would they not get both the exemptions?

Mr. ANDRESEN of Minnesota. No; what is produced on the 20 acres would be the maximum amount.

Mr. CUMMINGS. How many farmers would that take in? What percent of the farmers in Pennsylvania, Ohio, and Indiana would that take in?

Mr. ANDRESEN of Minnesota. The farmers of my State are mostly small farmers and we want to protect them.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. JONES. Mr. Chairman, I appreciate the position of my good friend from Minnesota [Mr. ANDRESEN], who has taken very great interest in the shaping of this bill.

At one time we had a 15-acre corn exemption in the bill. After going over it the committee reached the conclusion that 15 acres in one area or in one section of a State or even a county might mean two or sometimes three times as much in bushels as it would in another. We did discuss a 200-bushel exemption instead. The cotton exemption is on a quantity basis rather than an acreage basis. We first suggested two hundred, and I think the gentleman had in mind what we first discussed rather than the present provisions of the bill. If you will turn back to page 37, subsection (b), section 323—

no farm marketing quota with respect to any crop of field corn shall be applicable to any farm on which the normal production on the acreage planted to field corn is less than 400 bushels.

That gives an exemption, it seems to me, that is sufficient, and it seemed so to the corn members on the committee.

I hope the gentleman will not press his amendment in the light of that exemption.

Mr. ANDRESEN of Minnesota. Probably we could compromise and agree on about 600 bushels.

Mr. JONES. I am rather inclined to think that the corn picture is a little different from the provisions as to other commodities. I hope the gentleman will accept four hundred for the present, anyway.

Mr. ANDRESEN of Minnesota. I am sorry I cannot do that, because we granted an exemption here of 1,500 pounds on cotton yesterday. That is 9 acres of cotton.

Mr. JONES. But, you understand, that in the southern cotton area there is a high percentage of tenancy and there are a great many small producers.

Mr. ANDRESEN of Minnesota. That means 7,000,000 bales of cotton is exempted, if that goes in.

Mr. JONES. Oh, no.

Mr. FULMER. With three bales, at the price of cotton today, it will only mean about \$150. Four hundred bushels of corn at even as low as 50 cents a bushel would be \$200.

Mr. ANDRESEN of Minnesota. But when it gets down to 30 cents a bushel, 400 bushels of corn would only be \$120.

Mr. JONES. I think the amendment should not be agreed to, Mr. Chairman.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division (demanded by Mr. ANDRESEN of Minnesota) there were—ayes 24 and noes 41. So the amendment was rejected.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDRESEN of Minnesota: On page 39, line 16, strike out the last sentence in subparagraph (b), beginning "in any action brought."

Mr. ANDRESEN of Minnesota. Mr. Chairman, here we are dealing with a very important provision of the penalty section of the bill. I know those who are interested in the corn farmers and in other farmers will be rather interested to find what there is in the bill.

There are certain penalties provided in the corn section for any farmer who fails to live up to the orders of the Secretary of Agriculture in the storage and marketing quotas. The farmer is required to store a certain percentage of his corn, put it under seal in the granary, and leave it there. If the mice or the rats should get in and eat some of that corn, if the chickens should stick their beaks through the side of the corn crib and eat some of it, if the corn is stolen or destroyed, the farmer who has this corn in storage is presumed to be guilty for causing its disappearance, until he proves his own innocence.

If any of that corn has disappeared, the presumption is that he has marketed it. A penalty is assessed against him

for the disappearance of that corn. The corn farmers under this bill are not even given the same consideration as the worst criminal that we have in this country. He is guilty in the first instance, and he must come in and prove his innocence in the United States district court, where we find the United States district attorney and all of the funds and talents of the Federal Government to prosecute him when he stands there convicted before the bar of justice.

I have never heard of a provision being set into legislative form, where they are attempting to collect civil penalties, and where men affected thereby are presumed to be guilty and have to prove their own innocence.

What does it mean? It means that if a farmer is hailed into court under the process established here by the Secretary of Agriculture and the United States Department of Justice, he must employ the most skilled counsel in the United States to defend him, because undoubtedly the Department of Agriculture and the Department of Justice will take his case to the United States Supreme Court. He will have to go to his friends and neighbors and relatives and beg and borrow all the money he can, so as to get the best kind of legal talent to defend himself, in order to show that he is not guilty of a crime in which the law fixes the presumption and the burden of proof upon him.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. ANDRESEN of Minnesota. I yield.

Mr. KNUTSON. He probably would have to put another mortgage on his farm.

Mr. ANDRESEN of Minnesota. Oh, the chances are he would already have two or three mortgages on the farm, and that they would pick on a man who would be unable to get any funds to go into court and employ talent to defend himself. Fortunately they cannot put a man in jail. The only people they can put in jail, under this act, are the buyers of cotton and tobacco where they fail to keep records.

I hope that this amendment will be adopted, so that the burden of proof may rest with the Government and not upon the farmer. He should be given a fair trial and presumed to be innocent until proven guilty.

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 6 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BIERMANN. Mr. Chairman—

The CHAIRMAN. The gentleman from Iowa is recognized for 3 minutes.

Mr. BIERMANN. Mr. Chairman, the speech the gentleman from the first Minnesota district just made probably will read very well out in southeastern Minnesota as a defense of the poor down-trodden farmer, but there is no substance to it at all.

There is no criminal penalty involved in this corn section in any way whatsoever. This section was thoroughly discussed in the committee, and the committee, if I am not badly mistaken, agreed unanimously on exactly this provision.

Mr. ANDRESEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. BIERMANN. In just a minute.

I am not a lawyer, but I know that in trials the burden of proof shifts from time to time. I call the Members' attention to the first sentence in this section:

A farmer shall be presumed to have complied with his marketing quota with respect to any crop as long as there is stored under seal on his farm an amount of field corn equal to the storage amount applicable to his crop.

All the farmer has to do is to show that he has this amount of corn in his bin. It is not a matter difficult of proof, and he does not have to hire all these high-priced attorneys to go down to Washington to defend him.

I now yield to the gentleman from Minnesota.

Mr. ANDRESEN of Minnesota. I did not say that there was a criminal penalty involved, I said that there was a penalty if any of the corn had disappeared; and that is correct, for a penalty would be assessed against the farmer and he would have to prove that he was not guilty of having the corn disappear. Is not this a fact?

Mr. BIERMANN. That is correct. I ask the gentleman if he thinks it is going to be hard on any farmer to prove that something happened to his corn crib in case he is short a few bushels of corn? Answer "yes" or "no."

Mr. ANDRESEN of Minnesota. It may not be difficult, but he has got to go into court to defend himself.

Mr. BIERMANN. Mr. Chairman, it interests me, a layman, to note how difficult it is to get a lawyer to answer a question "yes" or "no." They want us all to answer "yes" or "no," but they will never answer "yes" or "no." The gentleman from Minnesota is a good lawyer. I asked him a simple question which he could answer "yes" or "no" but he refuses to do so.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. BIERMANN. I yield.

Mr. STEFAN. I am not a lawyer, but I am wondering if the committee took into consideration what would happen to this stored corn in the case of the sale of the farm? In Iowa, Nebraska, and throughout the corn section, farms change hands quite frequently.

Mr. BIERMANN. There is a provision for exchanges of that kind.

Mr. STEFAN. Is there provision for selling the corn which has been sealed up subject to the order of the Secretary of Agriculture? Does it belong to the farmer who bought the farm or the farmer who sold the farm?

Mr. BIERMANN. There is no particular provision applying to that specific instance, but every possible exigency that may arise is provided for in this bill.

Mr. STEFAN. But I ask my colleague what will happen to this corn that is subject to the order of the Secretary of Agriculture in case of a sale; and we have hundreds of such farm sales in Nebraska and in Iowa, too?

Mr. BIERMANN. He could sell it to the man who purchased the farm.

Mr. STEFAN. He could sell it even though it was under seal?

Mr. BIERMANN. I think so. He could transfer the title. However, if it is put on the market during the time the quota is in effect there would be a 15-cent per bushel penalty.

Mr. STEFAN. The gentleman says he can transfer it, but cannot sell it?

Mr. BIERMANN. The purchaser could pass a receipt to the seller or something like that. The purpose is to keep that corn off the market. The man who bought the farm would get possession of and title to the corn but could not put it on the market so long as the marketing quota remains in effect. This bill does not prohibit the transfer of title to the surplus corn. It merely forbids putting it onto the market so long as the marketing quota is in effect.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Michigan [Mr. Hook] is recognized for 3 minutes.

Mr. HOOK. Mr. Chairman, my friend from Iowa may not be an attorney, but certainly he has a great legal mind and he is a very good Congressman. He was positively correct when he said that the burden of proof shifted at different times during a lawsuit. In any action at law which may arise on account of the operation of this section the farmer is presumed to be innocent when he enters into that case. After he has placed the corn under seal he is presumed to be innocent, and this presumption follows him until such time as it is shown that he did not keep it so sealed and did not market it.

What happens when suit is brought? All that the farmer has to show is that he did not market the field corn in excess of his farm marketing quota. If he did not, it would be very easy for him to show that he did not, and when he has shown that he has not so marketed the corn, then the

presumption of innocence is still with him as it was in the first instance. So he is presumed to be innocent under this section. I ask that this amendment be defeated.

The CHAIRMAN. The time of the gentleman from Michigan has expired; all time on this amendment has expired.

The question is on the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division (demanded by Mr. BIERMANN) there were—ayes 34, noes 47.

So the amendment was rejected.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDRESEN of Minnesota: Page 34, lines 10 and 11, strike out the words "poultry or."

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this part and all amendments thereto close in 10 minutes, with the exception of the time already agreed to on the motion to strike.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that all debate on this part, with the exception of the allocation of time heretofore agreed to with reference to the amendment to be offered by the gentleman from Nebraska [Mr. COFFEY], close in 10 minutes. Is there objection?

There was no objection.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I call attention in particular to the following on page 34, beginning with line 9:

(1) "Marketed" shall be the disposition by sale, barter, exchange, or gift, or by feeding (in any form) to poultry or livestock which, or the products of which, are sold, bartered, exchanged, or given away, or to be so disposed of. The term "for market" means for disposition in any such manner.

Now, let us take the case of a typical corn farmer. He puts stored corn in a corn crib. If you are familiar with what a corn crib is you will know it is a type of building in which at least 50 percent of the corn is exposed to the atmosphere. It is possible for poultry to eat the corn through the slats in a corn crib. If any of the corn disappears in that manner, that is, by reason of the man's poultry eating the corn through the slats in the corn crib, the farmer will be subject to a penalty. Do you want to penalize the farmer for what his chickens are able to steal? If so, all well and good. If you do not want him to be penalized, then the poultry feeding provision should be eliminated from this definition.

That is all I have to say.

Mr. HOOK. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Minnesota [Mr. ANDRESEN].

Mr. Chairman, the argument just advanced in favor of the pending amendment is about as fallacious as anything I have heard, because I do not believe anyone is going to penalize a farmer on account of the fact that a chicken, turkey, or duck will nibble a few grains of corn from the side of a crib.

I sat in the committee and I heard different members of the committee make the statement that a great deal of the wheat that was grown and a good portion of the corn that was grown and marketed in this Nation went to poultry feeding. If that is so, it may affect very materially the administration of this bill. Further, poultry played such an important part in the N. R. A. that we should include it here, because it does play a very important part in this bill. If poultry is included in the bill, after the experience in the chicken case with regard to the N. R. A., the gentleman, being opposed to the bill, might have a better chance to cry about it after the bill is adopted.

Mr. JONES. Will the gentleman yield?

Mr. HOOK. I yield to the gentleman from Texas.

Mr. JONES. As a matter of fact this provision forbids the feeding of corn. If the chickens went there and got it the farmer would not be feeding it, would he?

Mr. HOOK. The gentleman is correct. It is just a question of properly interpreting the section. I think the section was put in here for a good purpose and it was adopted after very intelligent discussion in committee. The amendment offered by the gentleman from Minnesota [Mr. ANDRESEN] should be rejected.

[Here the gavel fell.]

The CHAIRMAN (Mr. WARREN). The question is on agreeing to the amendment offered by the gentleman from Minnesota [Mr. ANDRESEN].

The question was taken; and on a division (demanded by Mr. ANDRESEN of Minnesota) there were—ayes 28, noes 46. So the amendment was rejected.

Mr. COFFEE of Nebraska. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COFFEE of Nebraska: Page 28, beginning in line 8, strike out part 2 of title III relating to marketing quotas on field corn.

Mr. COFFEE of Nebraska. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes, the extra time not to be taken out of the time already agreed to for the discussion of this proposition.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that he may proceed for 5 minutes in addition to the time already agreed to. Is there objection?

Mr. COFFEE of Nebraska. Mr. Chairman, I modify my request and will make it 3 minutes, the additional 3 minutes not to be taken out of the time already agreed to.

The CHAIRMAN. Is there objection to the modified request?

Mr. MICHENER. Mr. Chairman, reserving the right to object, I must have been off the floor for a minute this morning at a time when this matter was being discussed. Was unanimous consent obtained to fix time of debate on this matter?

The CHAIRMAN. Yes.

Mr. JONES. Mr. Chairman, may I say to the gentleman from Michigan [Mr. MICHENER] that after debate had run along for some time, there was an agreement entered into that we would have 30 minutes' discussion on the motion to strike. It is practically the same line of discussion that has heretofore taken place.

The CHAIRMAN. Is there objection to the request as modified?

There was no objection.

The CHAIRMAN. The gentleman from Nebraska [Mr. COFFEE] is recognized for 8 minutes, 3 of which will not be taken out of the time heretofore agreed to.

Mr. COFFEE of Nebraska. Mr. Chairman, before we can have national prosperity the farmers must be assured of their fair share of the national income. They must have a fair price level in the American market for the portion of their commodities domestically consumed. However, I realize the impracticability of attempts to write such legislation into a bill on the floor of the House. It must be perfected in the Committee on Agriculture. I can see no immediate nor lasting benefits that will accrue to agriculture through the marketing quota provisions provided in this bill.

The adoption of this amendment will eliminate the unworkable marketing quotas—the referendum—which is of questionable constitutionality; and the 15 cents per bushel confiscatory penalty that would be imposed upon farmers who sold or fed to their livestock corn in excess of their quota. It will eliminate the compulsory provisions pertaining to corn.

Under the old A. A. A. the farmer had an option. He could either participate in the program and receive the benefits or not, as he chose. Such are the provisions of the Soil Conservation and Domestic Allotment Act. However, the provisions I wish to strike out go much further than the old A. A. A. or the Soil Conservation Act, because the farmer, if quotas are established, has no such choice. He is

compelled to pay 15 cents per bushel on any corn in excess of his quota sold or fed to his livestock.

This amendment will not interfere with the soil-conservation program under which all contemplated benefit payments to farmers will be made. The adoption of this amendment will eliminate the principal threat of a future adverse Supreme Court decision.

The compulsory-marketing quotas can serve no useful purpose because loans can and should be provided to farmers to store their surplus corn on the farm to prevent forced liquidation and demoralized prices. The Government has been making these loans, without marketing quotas and without the loss of a dollar. In years, like this, of high corn production, a sufficient number of farmers will gladly avail themselves of the opportunity to borrow money on their corn, to relieve the market of the excess. Less than 20 percent of the corn is sold for cash. Ninety percent of it is fed to livestock. If these marketing quota and penalty provisions stay in this bill, the courts will be clogged with lawsuits and the farmers will rebel against such legislation. It will take thousands of Federal employees to administer these compulsory provisions and the cost will be deducted from the appropriation that would otherwise go to the farmers.

Not one farmer in ten will be able to estimate the number of bushels of corn he can market without a penalty. That is no reflection on the farmer, because he will be able to come as close to the answer as the Members of this House.

The Farm Bureau Federation is the only farm organization advocating these compulsory provisions. The National Grange, Farmers' Union, livestock and dairy organizations are all opposed. I quote from the letter of the National Grange to the Members of Congress under date of November 30:

In the opinion of the National Grange, both House and Senate bills should be referred back to the committee and stripped of their compulsory features. In planning a long-time program for agriculture, we should not begrudge the time nor the patience that is necessary to make it sound, workable, and constitutional.

The objective of these marketing quotas is to stabilize the price of corn. I am in accord with the objective, but I am not in accord with the means sought in this bill to attain that end. If these compulsory features remain in the bill, it is the small landowners and tenant farmers who will be penalized most, because many of them are not equipped with adequate storage facilities.

The elimination of these compulsory features will not interfere with these loans. It is a patent insult to the intelligence of the American farmer to assume that his farming operations must be conducted through a centralized bureaucracy here in Washington.

If these compulsory marketing quota provisions remain in the bill, the farmer's liberty will be sold for a mess of pottage. [Applause.]

I appeal to those of you who are opposed to the further extension of bureaucratic control and opposed to compulsory crop control to support this amendment. [Applause.]

Mr. BIERMANN. Mr. Chairman, we are confronted with a situation affecting the farmers at which we cannot wink our eyes unless we are going to have a recurrence of the sort of calamity that has overtaken American farmers several times within the lives of most of us.

The farmers of the United States produce huge surpluses in a number of commodities. If there were just a few farmers, 10 or 15 or 20, operating these more than 300,000,000 of acres, they might get together and decide how much of their product they were going to raise, or how much of it they were going to put onto the market. But 6,500,000 farmers cannot get together on any program of production control or marketing control. Therefore, it is necessary for the Government to come in and supply the plan, and this is all the pending bill does. The bill provides that the Government shall come in at a certain point and notify the farmers they are likely to have a price-breaking

surplus. The Government supplies the figures to the farmers and says, "The corn supply is so large it is likely to wreck your prices. Do you want us to have marketing quotas or do you not?" Two-thirds of the farmers must vote in favor of the marketing quotas before they go into effect. Then what happens? The Government merely allots to these farmers the amount they can safely put onto the market in interstate commerce, and the balance of the crop, probably a small part, 5 percent, 10 percent, perhaps 20 percent in an extreme case, the farmers must keep off the market until the market will absorb the surplus at a decent price. This is all there is to the marketing quotas. It is merely provided that as long as the surplus threatens to break the price the farmer shall keep it off the market.

What about these iniquitous penalties as to corn? This bill merely provides that if a farmer insists on putting his part of the surplus onto the market and breaking the prices of his neighbors he is charged 15 cents a bushel for so doing.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. BIERMANN. I yield for a short question.

Mr. HOFFMAN. The gentleman stated just a moment ago that two-thirds of the farmers had to vote in the affirmative to put themselves under a quota. Did the gentleman mean that?

Mr. BIERMANN. Yes.

Mr. HOFFMAN. I thought the Secretary of Agriculture put them under a quota, and one-third of the farmers had to vote against it.

Mr. BIERMANN. That is another of these legal subtleties, on which I am not going to debate. I am a newspaperman. It amounts to about the same thing.

Mr. HOFFMAN. The gentleman is interested in the fact?

Mr. BIERMANN. Yes; very much interested; but I am not very much interested in turning it upside down and inside out.

Mr. HOFFMAN. Is not that what they did with this provision in order to make it constitutional?

Mr. BIERMANN. I am not a constitutional authority.

Mr. HOFFMAN. But as a newspaper man the gentleman is interested in whether or not that is true?

Mr. BIERMANN. Yes.

Mr. HOFFMAN. And the gentleman knows that it is true?

Mr. BIERMANN. I shall have to leave that to a lawyer.

This bill provides that when the supply of corn reaches a figure which the Secretary, after investigation of the facts, and two-thirds of the farmers agree will break the price of corn, the corn farmers in the commercial corn-growing area are then restrained as to a small part of their product, maybe 5 percent, maybe 10 percent.

They have got to keep that in storage and they can get loans on it. If they insist on throwing it onto the market in such circumstances they are penalized 15 cents a bushel.

Mr. GILCHRIST. Mr. Chairman, will the gentleman yield?

Mr. BIERMANN. I yield.

Mr. GILCHRIST. Does this bill contain one line or one provision limiting the amount a farmer can produce?

Mr. BIERMANN. No; a farmer can produce any amount he wants, but he cannot throw it onto the market when it would break the price.

[Here the gavel fell.]

Mr. MICHENER. Mr. Chairman, this amendment offered by the gentleman from Nebraska [Mr. COFFEY] eliminates the quota provisions of the bill affecting corn. A similar motion eliminating the wheat quota has already been passed by the Committee, so that if the pending amendment carries then there will be no quota control over wheat and corn. We who come from the wheat and corn sections are not fooled, however, because we know that when the administration whip cracks and the roll is called, both of these amendments will be defeated.

This bill would not be here were it not for the fact that it attempts to limit and control production of corn, wheat, cotton, tobacco, and rice, the commodities included—and I mean compulsory control.

Mr. GILCHRIST. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. My time is short, but I yield to the distinguished Representative from Iowa, a member of the Committee on Agriculture.

Mr. GILCHRIST. Will the gentleman name the line or place in this bill which limits the production of any farmer?

Mr. MICHENER. There is no specific limitation in any particular line in the bill. Technically speaking, the gentleman is correct when he makes this statement. There are 86 pages in the bill and 60 pages are devoted to compulsory control. The practical and intended result expected to be obtained if this bill becomes a law is the control of production, which means the regimentation of the farmers producing the commodities. This bill is bottomed on the premise that at times there is a surplus of these commodities in this country and that the surplus must be eliminated if the farmer is to receive a fair price for the commodity.

The Agricultural Adjustment Act was ill conceived and hastily enacted. It proceeded on the philosophy of scarcity. The country was to produce less and have more. However, there was no compulsion; that is, the farmer could accept its provisions or leave it alone. He was not subjected to a fine or imprisonment if he did not comply. A processing tax was invoked to pay the benefits and the Supreme Court held the act unconstitutional. Immediately the Department of Agriculture cast about to find some other means of getting benefit checks out of the Treasury into the hands of the farmers. As a result, the Soil Erosion Act was adopted as the vehicle, and by the amendments of 1936, the Soil Conservation and Domestic Allotment Act was set up, under the provisions of which the farmer is able to receive benefit checks in the name of soil conservation. The Soil Conservation Act contains no compulsory acreage or quota control. The farmer is not fined or sent to jail if he does not choose to comply with the provisions of that act.

At the time that act was before the Congress, I called attention to the unconstitutionality of the act. It seems clear to me that the language in the Supreme Court decision holding the A. A. A. unconstitutional applies to the present Soil Conservation Act. We all realize that the constitutionality of that act has not yet been passed upon by the Supreme Court. It is also true that the Tenth Circuit Court of Appeals in the Edwards case, by means of an ingenious legalistic effort, has sustained the constitutionality of the law, but the final word will be spoken by the Supreme Court. There is not a lawyer on the floor of the House who will not agree that to hold this law constitutional the Supreme Court must reverse its holding in the A. A. A. case.

Mr. GILCHRIST. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. My time is short, but if the gentleman, good lawyer that he is, wants to state otherwise, I yield for that purpose.

Mr. GILCHRIST. The gentleman intimated that I did not know what was in the Soil Conservation Act.

Mr. MICHENER. I am sorry if I used unfortunate language, but my time will not permit me to yield further.

Mr. GILCHRIST. I want to ask the gentleman if he will name one paragraph in this bill, or in the soil conservation law that compels a farmer not to raise corn. Is it not entirely a voluntary matter on his part? Is it not true that he can stay out of the soil conservation program or he can go into it, according to his own pleasure? And if he stays out, is it not then true that he can get the benefits for raising corn or crops on his farm instead of accepting payment?

Mr. MICHENER. Under the Soil Conservation Act the planting of corn is voluntary; that is, if the farmer wants nothing to do with the Soil Conservation Act, then he can plant as many acres as he sees fit and dispose of it as he likes; but if he is in the commercial corn-growing area, under this bill, if he sells or uses more than his compulsory quota, he is fined if he violates the quota regulations promulgated by the Secretary of Agriculture in addition to losing all benefits under the act.

The gentleman from Iowa places much stress upon technical compulsion. He must remember that there was no

compulsion in the A. A. A., yet the Supreme Court in invalidating that act said:

The act invalidates the reserved rights of the States. It is a statutory plan to regulate and control agricultural production, a matter beyond the power delegated to the Federal Government.

That case further held that the Government could not legally contract with the farmers to reduce their production, and the Court further held:

But if the plan were one of purely voluntary cooperation, it would stand no better so far as Federal power is concerned. At best, it is a scheme for purchasing with Federal funds a submission to Federal regulation of a subject reserved to the States.

This bill surely is "a statutory plan to regulate and control." When the formula laid down in the bill is applied, the farmer in the commercial corn-producing area is prevented from disposing of any corn beyond the quota dictated by the Secretary of Agriculture. It is the farmer's corn, he produced it, and he is prevented from disposing of it. If that is not compulsion, then what does my friend from Iowa call it?

There are some things in this bill to which none of us object:

First. We favor the continuance of a soil-conservation program.

Second. We favor a sound lending policy upon agricultural commodities, including dairy products, stored on the farm or in the terminal facilities—a voluntary "normal granary."

Third. We favor any provisions of law which will bring about just and equitable freight rates to the farmer.

Fourth. We favor the provisions of this bill relating to new uses and new markets for farm products.

Fifth. The Federal Surplus Commodities Corporation should be continued as an instrumentality to be used in times of need.

Control of production, whether voluntary or compulsory, is unnecessary to achieve any of the above objectives. Without this law the present soil-conservation law will function as it is now operating.

I do not believe that this bill is the right approach to the agricultural problem. Frankness in the enactment of any law is at least advisable, and to some of us is essential. We may beat about the bush if we so choose, yet we have debated this bill for more than 10 days and not a single Member has discussed improving the soil or soil conservation. On the other hand, the whole debate is over this compulsory control and limitation of acreage and marketing regulations. It is utterly impossible to regulate and control the five commodities in the same manner. Therefore, we find several varieties of control in this bill.

Time prevents an analysis of the several methods. However, I pause long enough to say that with cotton there is an acreage control entirely; that is, the cotton farmer is limited in the number of acres he may plant to cotton. There is no limit on production or marketing of cotton. Therefore, when the cotton farmer is assigned his acreage, he may proceed to produce as much as possible and sell all that he produces without let or hindrance. Now the yield of cotton is controlled largely by the amount of fertilizer used. For instance, in 1936 an average of 170 pounds to the acre was produced, while in 1937 the average was 228 pounds. There was acreage limitation in 1937, and, instead of planting as many acres, the cotton farmer planted less, used more fertilizer, and produced more cotton. Under this artificial control, which produced more, rather than less, the cotton producer has lost 50 percent of his foreign market, and it is interesting to recall that between 1920 and 1930 the average price that the farmer received for his cotton was 17 cents per pound. That was before the flowering of the philosophy of scarcity in our midst. Today, after 5 years of this kind of tampering with the laws of nature, cotton is 7½ cents a pound, and our cotton friends are frantically striving to pass some legislation which will hold out promise to the deflated and the deflated cotton producers. Be it remembered that the authors of this bill refuse to permit this assistance to cotton to be invoked before the year 1939. If this is a good thing and is on the level, why not let it apply to

the 1938 crop? The 1938 congressional election will be over before this promised relief becomes effective.

So far as rice is concerned, I do not know why it has a place in this bill. The total production of rice in this country last year was only \$40,000,000. There is no surplus, and, therefore, why should we control the production?

The Committee on Agriculture consists of 28 members. The President called the Congress in special session to consider this, his farm program. The committee advises us that the committee was divided into subcommittees, all the members coming from cotton territory being placed on the cotton subcommittee, those from the corn territory on the corn subcommittee, and so on. Each subcommittee was permitted to write its ticket for its own commodity. That would seem easy. Of course, the Department was the guiding spirit back of it all. However, even these small subcommittees have not been able to agree on this monstrosity of a bill. Let it be said, however, that the tobacco representatives have agreed and have a good political bill for their respective districts. It is control and compulsion, but all the small tobacco farmers, where the bulk of the vote is, are exempted. The only penalty invoked is visited on the purchaser, so that the tobacco producer may produce and sell and be in no fear of fine or punishment, while the purchaser, who purchases beyond the quota limit of any tobacco farmer, must pay the price. With this statement let us pass tobacco.

The section of the country from which I come produces two commodities covered in this bill—wheat and corn. While there is compulsory control over the production and marketing of each of these commodities, yet the formula is different in each case. Under the present soil-conservation law it is optional with the wheat grower and corn grower as to whether or not he accepts the program laid down by the Department of Agriculture. If he does accept this program and complies with a contract which is dictated by the Secretary of Agriculture, then he receives certain benefits. If he prefers to run his own farm without the dictation of any Washington bureau, then he is at liberty to do so. If this bill becomes effective, the farmer under the Soil Conservation Act will be given a definite acreage which he may plant to wheat. If the quota provision of the bill becomes effective he will then be given a quota of wheat of which he may dispose by sale, gift, or otherwise. If he sells more than his quota, then he is fined and the fine is collected by the Attorney General of the United States by suit brought in the Federal court of the United States. And yet we are asked by the proponents of this bill to accept the fiction that there is no compulsory control in connection with production and sale of wheat.

The part of this bill referring to corn is of special interest to the Second Congressional District of Michigan, which I represent. There are 83 counties in Michigan. But three of those counties—Washtenaw, Lenawee, and Monroe—in the southeastern corner of the State come within the commercial corn-producing area, as determined by the Secretary of Agriculture, as provided in this bill. This means that the corn producers in those three counties will receive different treatment under this law than all the other corn producers in the State of Michigan. This is because these three counties are especially good agricultural counties and have in the past produced corn in sufficient quantity so as to place them in the same class with the great corn-producing sections of the Middle West. Now this is what will happen to the farmers in these three counties, whether they have signed up on the soil-conservation program or not, if this bill becomes a law:

First. The farmers will be permitted to take advantage of the Soil Conservation Act exactly as they can at this time. An acreage quota will be assigned to them.

Second. When the Secretary of Agriculture estimates that the national corn production will reach a given point, then by his decree the quota becomes mandatory in these three counties.

Third. A national referendum of all the farmers in the commercial corn-producing area will be conducted by the Secretary of Agriculture to determine whether or not the

farmers in the area want to comply with the quota. It is admitted that under the Constitution the Congress cannot pass a law permitting the people to determine by affirmative vote whether a law shall be enforced. Therefore, this referendum is stated in the reverse; that is, if less than one-third of the farmers voting vote against the quota, then the quota shall not become operative. To the average person this seems silly, but it is hoped by those sponsoring this bill that the Supreme Court will find a difference between two-thirds voting for a thing and one-third voting against it. In my judgment, this provision is clearly unconstitutional and will be so held by the Supreme Court.

The farmers within the commercial corn-producing area this year produced 1,700,000,000 bushels, while the small farmers on the outside produced 900,000,000 bushels.

Fourth. The determination of a quota by the Secretary of Agriculture is not made until after the corn crop is planted each year, and is based upon the prospects of the crop in the heart of the corn-producing area. The size of the corn crop is determined by the weather and not by acreage. When this quota takes effect each farmer will be assigned the percentage of his crop which he must store in a terminal warehouse or, preferably, in his own corncrib on his own farm. The amount so stored must be in a corncrib complying with Government specifications. The crib in which the corn is stored must be locked and placed under Government seal, and the corn cannot be disposed of for any purpose whatever until the decree of the Secretary of Agriculture affecting all such stored corn is announced; that is, the farmer, for instance, may be required to store a given number of bushels of corn. Under no circumstances can he break the seal and use any of the corn for any purpose whatsoever until authorized to do so. He cannot even feed this stored corn to his own stock. He cannot sell it or give it away. In short, the purpose is to keep it off the market. Therefore, if he should run out of corn for his own use on the farm, although he has this corn on his own farm, he would be obliged to go into the market and buy corn at the market price. If the farmer does violate any of these rules, regulations, or decrees of the Secretary of Agriculture, he is fined and prosecuted in the United States court and is deprived of all Government benefits under any conservation or loaning act.

Now, remember, only those three counties in Michigan will be compelled to comply with this quota law. On the other hand, the farmer not living within the designated commercial corn-producing area will be limited only by the present soil conservation law; that is, if he does not desire to limit corn production at all, then he will not. He can produce as much corn as fertilizer and God will permit, and sell this corn at any time, anywhere, any place he may desire. In other words, he is his own free moral agent, so far as growing and selling corn on his own farm is concerned, while the farmers in the three counties above-named are placed in a strait jacket and their conduct, so far as corn is concerned, will be determined by the Secretary of Agriculture, when the quota goes into effect. If this bill would work and would increase or stabilize the price of corn, it would be entirely unfair to penalize these three counties in Michigan by making them carry the burden as against the other counties to be benefited. On the other hand, we all know what human nature is, and if this thing should work, the corn farmers not limited by the quota would produce more corn, because there would be more money in it. They would have an artificial price for their corn and would in no way be paying their part of the cost of maintaining such price.

I have called attention to the corncribs in which the surplus corn would have to be stored. The same is true of wheat when the wheat quota takes effect. The surplus wheat would have to be stored in a granary complying with Government specifications and under lock and seal of the Government. In my district many farmers would have to build new cribs and granaries.

An amendment has been placed in the bill providing that whenever a farm in any county adjoining the commercial

corn-producing area produces 400 bushels or more to the farm unit, or 4 bushels to the acre of the entire farm unit, then that fact shall automatically bring the township in which the farm is located into the commercial corn-producing area. For instance, Lenawee County has been placed in the area, while Jackson County is outside of the area. If a farm in northern Jackson County, and miles away from Lenawee County, should qualify for the commercial corn area, then the whole township would necessarily be brought under quota regulations. As a practical matter, there are many farms dotting the counties adjoining the commercial corn area having such yields and, therefore, the work of the Government committees and representatives would be immeasurably and expensively increased, and township discrimination as well as county discrimination would prevail.

The country today is confronted with a bumper corn crop. The Corn Belt has had a tremendous yield and will have a large surplus. The three counties in Michigan coming under the quota have had one of the poorest corn crops in years, due to heavy rains throughout the season. Now, if this quota law had been in effect, farmers in these three counties would have been obliged to place in storage, under Government seal, the same percentage of their yield as the farmers in the most prosperous part of the Corn Belt this year. This would have been ruinous because these farmers are going to have difficulty in caring for their stock on the corn they have produced, and it would be monstrous to compel them to lock up a part of that corn and go out and buy corn on the market in order to maintain the price. Think of what the situation would be were the farmers in Lenawee County to be thus regulated, while the farmers across the road in Jackson County would not be compelled to submit to any such unreasonableness.

Ninety percent of the field corn produced in the country is marketed through livestock and only 10 percent is sold as cash corn. The counties in my district are extensive feeders of livestock and operators of family-sized farm dairies. These counties seldom ship out any corn as corn. We ship into these counties, feeder cattle and lambs in the fall and sell our corn in cattle, lambs, and hogs in the spring. My home county of Lenawee has as many or more family-sized farms with wheat fields, corn fields, and small commercial dairy herds as any county in the United States. We are tremendously interested in all crops grown in any part of the country, and especially in the dairy industry. Anything that interests agriculture is of fundamental importance to us.

Compulsory control has been tried on cotton under the Bankhead Cotton Act. It did not work successfully.

Compulsory control was attempted under the Potato Act, about which I addressed the Congress at the time of its consideration. Because of the demand of the family-sized farmers of the country, that act was voluntarily repealed by Congress before the farmer and his wife, who grew a few potatoes in the back yard, were sent to jail. The control in this bill will be just as unpopular with the small producer of corn as was the potato law with the average small farmer. Who is for this legislation?

The farmers themselves are not demanding it. The National Grange, with its 800,000 paid members, is almost unanimously opposed. The National Farmers' Union is unalterably opposed. All national dairy organizations and all local organizations that have been heard from are opposed.

The national leadership of the Farm Bureau Federation has been of different views at different times throughout the consideration of the bill. Mr. Edward O'Neil, the head of this organization, has been an advocate of all proposed control of agriculture submitted to Congress during the last 5 years and has been quoted throughout the debate as being for this bill and against this bill. We are told that Mr. Earl Smith, an outstanding leader in this organization, and to whom the farmers of the Corn Belt give heed, is opposed to the bill as it leaves the House.

Throughout the entire debate not a single Member of the House has approved of the bill. Practically every speech has been an apology for some part of the bill. Even the

conscientious and able chairman of the committee is not proud of the committee parentage. The President has called Congress together to enact permanent agricultural legislation, and this bill is supposed to be that thing, and the passage of this bill at this time is presumed to be a fulfillment of the administration's pledge to do something for the farmers at this special session of Congress. Members are voting for the bill and at the same time stating that the bill must be rewritten in conference and that they will not support this bill if it returns to the House.

The Secretary of Agriculture and the administration alone seem to be for the entire bill.

I am opposed to this bill because—

First. It will not and cannot accomplish that which the farmers are promised it will accomplish.

Second. It regulates and controls the farmers in the operation of their farms. For noncompliance with compulsory quotas they may be fined, prosecuted, and deprived of benefits.

Third. It is unfair and unjust and discriminates against farmers within the quota area as against farmers outside the quota area.

Fourth. It will cause more dissatisfaction, more jealousy, envy, and hatred among farmers themselves than any legislation yet enacted concerning agriculture.

Fifth. It gives more power to a bureau in Washington to control the destinies of the farmer.

Sixth. It has possibilities of ruining the dairy industry of the North, if the South is permitted to rent its cotton land to the Government in order to conserve the soil and then operate dairies on the same land, utilizing alfalfa and other soil-conserving crops to produce dairy products to compete with northern dairies not subsidized by the Government.

The farmers must have some relief or assistance if they are to maintain the standard of living accorded to those in order industries. The protective tariff does not fully protect the farmer on surplus crops. He must, therefore, have its equivalent, call it subsidy or what you will. I believe that the part of his products consumed domestically must be sold at the American price and that his surplus products must be marketed abroad in competition with world prices, and that the Government must by legislation make it possible for the farmer to produce, market, and sell his whole crop and receive the cost of production plus a fair profit.

The venture of the Federal Farm Board to control production was a failure. The Agricultural Adjustment Act did not succeed. The Bankhead Cotton Act and the Potato Control Act were worse than failures. The result of the Soil Conservation Act is to improve the soil and eventually attain a greater production. Any theory of scarcity of the necessities of life is morally and economically wrong.

I believe that the farm problem must be dealt with in at least two parts—the domestic consumption and the foreign surplus. I would give the American market to the American farmer, limited only by his ability to meet the demand. I would repeal the law giving the President authority to make trade agreements with foreign nations, by virtue of which the farmer is the sufferer. I would give consideration to the Eicher-Massingale cost-of-production bill, crop insurance, the McNary-Haugen equalization fee plan, the export-debenture theory; and I believe that after careful consideration a permanent policy can be evolved that will not take away from the 43,000,000 Americans whom the President says are unclothed and unfed food and clothing which our farmers want to produce. If necessary, buy the products of the farm outright to feed those who are hungry; but do not subsidize the farmers in order that there may be less to eat and less to wear.

This bill will take from \$500,000,000 to \$1,000,000,000 out of the Federal Treasury each year, and it seems like a crime to spend this money for the express purpose of producing less of the necessities of life. The current year \$397,000,000 was spent under the Soil Conservation Act, and it took \$40,000,000 of that amount to administer the act. The

Bureau and administrators got too much in proportion to what the farmers really received.

Let us take more time, because this is presumed to be a permanent law. We should be willing to stay here and hear all sides concerned and work out something that at least has a possibility of succeeding. Enactment of this bill will be just another annual performance by the Congress, and, believe me, the farmer is getting tired of such maneuvers. The farmer wants more substantial encouragement and less bureaucratic coercion.

[Here the gavel fell.]

Mr. KLEBERG. Mr. Chairman, at the outset permit me to correct part of the confusion in the mind of the distinguished gentleman from Michigan [Mr. MICHENER], who was just discussing the constitutional phases of the Conservation Act. He refuses to accept even the bona fide intentions of the members of the committee who drafted that particular act, having to do with the utilization of the spending power and not for the direct purpose of reducing production or controlling production, but having to do with a definite and not an implied endeavor to stop the misuse and destruction of the natural soil resources of our country. It is perfectly patent that after the operation of the Soil Conservation Act, with no controversy or challenge thereto, others accept that bill as having been drawn as a bona fide attempt to conserve the soil.

Addressing myself to the amendment just offered by my distinguished friend the gentleman from Nebraska [Mr. COFFEY] to strike out the compulsory features of the corn section, I call attention, in 1936, to the prices on corn and cotton and other agricultural commodities under the Soil Conservation Act, the operation of which appeared to be perfectly satisfactory. I am not in the corn section. I do not know what rules or regulations were promulgated by the Department of Agriculture in the corn section with reference to the 1937 application of that law, but I do know in the cotton section in 1936 the amount of acreage required to be treated for soil conservation was 25 to 35 percent of the then tilled acreage operated on any of the farms in the country as necessary compliance before benefits were paid. In 1937 the Department, of its own volition, possibly actuated by the hue and cry from the consumers, suggested that compliance would only have to be from 1 percent up to 35 or 36 percent to make farmers eligible to receive benefits.

The immediate replanting of acreage which had been retired and which had regained fertility and strength had more to do with the present condition of surplus, aided and abetted by the natural fine weather conditions than anything else. If we had an administration down here that would really apply itself to following the intention of Congress instead of passing regulations with the effect of law in disregard of those intentions, we would not be here in special session called upon to give a half-cocked judgment on a matter in which every man, woman, and child in the country is interested. I object to these quota provisions for the simple reason that under a referendum one-third of the farmers in all counties in this country can affect the well-being of the balance of the 130,000,000 that compose the citizenship of this country. That legislation is patently not in accord with legislation which has heretofore emanated from the great deliberative body of which we all have the honor of being Members, and I say to you I think the best farm bill we could have under present conditions would be to strike out the quota provisions and make a few amendments to the Soil Conservation Act that would guarantee compliance with the intention of Congress, carry out the research provisions, the provisions having to do with loans, and the provisions to revise freight rates, and then we would have a farm bill. [Applause.] This so it be not said that no recommendation has been made by one who opposes the present bill. I call attention again to the ridiculous aspersions having to do with the application of these quotas at high levels, fixed merely and purely in an effort to avoid the proposition that these quotas might not be considered an

effort to compulsorily restrict and curtail production. As a matter of fact the indirect approach to that matter having to do with dealing in commodities under the commerce clause is only one phase of the evasion practiced.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HOPE. Mr. Chairman, I will regret as much as anyone to see us reach a situation where we have to impose marketing quotas upon the sale of farm products and yet I think that everyone of us, if we face the issue squarely, must consider that as something that we are likely to have to come to, whether we like it or not. It is a realistic situation that confronts us, and one that we might just as well meet now, because eventually we are going to have to meet it any way. Back in 1932 when the Republican Party was in power it had this same situation confronting it, and it is a matter of history that the Republican administration, at that time, first advocated the control of agricultural production. The Democratic Party, at that time, opposed it and went on record in its platform in 1932 and in the utterances of its campaign speakers, from the Presidential candidate on down, as being opposed to that kind of a program. The Republican Party platform in 1932 advocated control. I read just a brief paragraph from that platform:

The fundamental problem of American agriculture is the control of production to such volume as will balance supply with demand. In the solution of this problem the cooperative organization of farmers to plan production, and the tariff to hold the home market for the American farmers, are vital elements. A third element, equally as vital, is the control of the acreage of land under cultivation as an aid to the efforts of the farmer to balance production.

I mention this matter simply to point out that any administration which has to face this problem is going to come to about the same conclusion that the Republican administration reached after dealing with the problem of agricultural surpluses for 4 years.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. HOPE. Not at this point.

Now, this Administration has gone through the same experience and has reached the same conclusion, namely, that under some circumstances and in an emergency—and that is all this bill provides; it is an emergency measure as far as the marketing quotas are concerned—it is going to be necessary to resort to this type of a program.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. HOPE. Not at this point.

Now, after all, this is not the great departure from traditional American policy that some people seem to think it is. We have for several years past had in the oil industry a system of proration, which is almost identically the same as the marketing-quota provisions in this bill. The only difference is that under the system of proration in the oil industry the producers are allowed to market about 5 percent of their production, whereas under the program contemplated here the percentage, of course, would be many times that. But the principle is the same, and the principle was arrived at by exactly the same type of reason and for exactly the same reasons.

The CHAIRMAN. The time of the gentleman from Kansas [Mr. HOPE] has expired.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I would like to prefer a unanimous-consent request.

I ask unanimous consent to address the House for 5 minutes on this amendment.

The CHAIRMAN. Outside of the time limit?

Mr. ANDRESEN of Minnesota. Outside of the time limit.

Mr. JONES. Mr. Chairman, the opposition has had 18 minutes. However, I will not object.

The CHAIRMAN. Twenty-five minutes have been consumed in this debate. Only 5 minutes remain, which the Chair has granted to the gentleman from Texas [Mr. JONES].

The gentleman from Minnesota [Mr. ANDRESEN] asks unanimous consent that he may proceed for 5 minutes, not to be included within the time limit. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Nebraska [Mr. COFFEE]. The gentleman from Kansas [Mr. HOPE] has very ably stated the political views of the two major political parties in this country with reference to the control of production. We are not dealing here with political propositions. We are dealing with a practical problem that affects every American farmer and no politics should be engendered in this discussion or in the shaping of the legislation. [Applause.]

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. ANDRESEN of Minnesota. I am sorry, I cannot yield.

Mr. HOPE. The gentleman referred to my remarks. I would like to correct him. I think the gentleman understands my position. The gentleman is not accusing me of bringing politics into this question simply because I mentioned the position of the two political parties in their platforms.

Mr. ANDRESEN of Minnesota. I know that the gentleman from Kansas does not intend to inject politics into this discussion.

Now, what do the corn farmers get if the compulsory features are taken out of this bill? They will get exactly the same benefit and benefit payments under the voluntary program as provided in the Soil Conservation Act. All corn farmers of the country will be treated the same. They will receive 10 cents per bushel on the corn produced on the allotted acreage assigned to them by the Secretary of Agriculture. The program will be voluntary. The farmer who desires to come into the program may do so. The farmer who wants to stay out of it may do as he desires.

Here we have a situation where a certain small area of the United States is called the commercial corn area, where the farmers are controlled and restricted as to production and marketing when the plan goes into effect, while the farmers living outside the area, where they produce nearly 1,000,000,000 bushels of corn, may double their production, which they will do just the same as the cotton farmers did outside of the traditional cotton-producing portions of the South; as they did in Egypt and China and Brazil and the other countries of the world, because there was a control of production in one area, and naturally the farmers outside of the area took advantage of that and increased their production, and took away the markets from the farmers who had been producing these things in a traditional and historical manner.

If this bill remains as it is and this compulsory title remains in the bill, if you, as a corn farmer, have corn in your storage, and your neighbor has no corn and he comes to you to buy feed for his livestock, his hogs and cattle, you will be penalized if you sell that corn to him. If that corn disappears from your farm, the burden of proof will be upon you to show that the corn has disappeared legally, or you will be assessed a penalty.

No one is stronger for helping the corn farmers and the other farmers than I, but this control provision is the most drastic provision in the bill, and if we leave it in the bill, it will not only ruin the farmers within the area, but we will dislocate agriculture generally all over the country, according to the entire scheme in the bill, and we will have passed a measure that will never stand the test of the courts, and will just embroil the American people in another Supreme Court controversy. We want nothing of that in this legislation. We will have a good bill here if we strike out the compulsory control of corn. If anyone tells you there is no compulsory control of corn in this bill, they are just fooling you. [Applause.]

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, we are face to face with a very practical proposition. Anyone with even a short memory must remember that in 1932 corn sold in many parts of the West at 10 cents per bushel. Is not this true I ask some of the Members from the corn districts?

Mr. BIERMANN. It sold for as little as 7 and 8 cents a bushel.

Mr. JONES. It sold for as little as 7 and 8 cents a bushel. Farmers burned it for fuel. Of what advantage is it to a farmer—they cannot organize satisfactorily themselves—to have the opportunity to shovel corn into the fire? This is a practical proposition. The quota under the terms of this bill is not anything like as strong as many of the corn Representatives feel it should be. Go out and talk to the farmers in the great corn-producing areas and you will find that many of them want much stronger control provisions, not only as to the penalty but as to the time when the control shall go into effect.

You must remember, too, that in 1932 when corn was selling at 10 cents a bushel and mortgagees tried to sell out the farms and sell the livestock, the embattled farmers, who have always been as loyal a group as America has, took charge of the judge and threatened his life, because they were face to face, not with some man's plea for liberty, but with an actual, stern, and naked fact.

I do not believe this provision will be invoked in many years. This is the way it will operate: When the supply of corn becomes ample for all the markets of the world and we have an additional supply of a certain percentage, then instead of allowing some fellow who says he will not cooperate with his neighbors to pour corn onto the market and break the price down again to 10 cents or 8 cents a bushel, he is told that he can grow all he wants to but that when the point is reached that a market collapse is threatened if he sells more than a certain quota, that is, if he puts it on the market and refuses to seal it up, he is charged 15 cents per bushel.

And he would be further ahead if he does not sell the balance than he would if he sold it. Anybody with any sense about corn marketing, or any kind of marketing on earth, knows this is true. Certainly the same method of marketing that is used by business, as shown by the headlines of the papers a few days ago, is preferable to the old system.

I realize that this man, that man, and the other man thinks he has a plan that is better. Maybe he has, but when you work out any of them, if you are going to have any regulation of commerce, which you have made the duty of the American Congress, you must have some sort of regulatory features; otherwise there will not be regulation. If you investigate, you will find that the corn producers themselves, whose commodity it is we are dealing with, are anxious for a marketing quota when it reaches the time that farmers threaten, not because they want to but because the desperate need of their families calls for something to feed them with; you will find you have a much more stable government and a much more satisfied people if you have reasonable regulation. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired; all time on this amendment has expired.

The question is on the amendment offered by the gentleman from Nebraska.

The question was taken; and on a division (demanded by Mr. ANDRESEN of Minnesota) there were—ayes 71, noes 75.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. COFFEY of Nebraska and Mr. JONES.

The Committee again divided; and the tellers reported that there were—ayes 93, noes 99.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read part V, beginning on page 66.

Mr. JONES. Mr. Chairman, I ask unanimous consent that this part be read by title and that amendments may be offered to any portion of it.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that part V be read by title and that amendments may be offered to any part thereof. Is there objection?

There was no objection.

The Clerk read as follows:

PART V—MARKETING QUOTAS—RICE

LEGISLATIVE FINDING

SECTION 371. (a) The marketing of rice constitutes one of the great basic industries of the United States with ramifying activities which directly affect commerce at every point, and stable conditions therein are necessary to the general welfare. Rice produced for market is sold on a Nation-wide market, and, with its products, moves almost wholly in interstate and foreign commerce from the producer to the ultimate consumer. The farmers producing such commodity are subject in their operations to uncontrollable natural causes, in many cases such farmers carry on their farming operations on borrowed money or leased lands, and are not so situated as to be able to organize effectively, as can labor and industry, through unions and corporations enjoying Government sanction and protection for joint economic action. For these reasons, among others, the farmers are unable without Federal assistance to control effectively the orderly marketing of such commodity with the result that abnormally excessive supplies thereof are produced and dumped indiscriminately on the Nation-wide market.

(b) The disorderly marketing of such abnormally excessive supplies affects, burdens, and obstructs interstate and foreign commerce by (1) materially affecting the volume of such commodity marketed therein, (2) disrupting the orderly marketing of such commodity therein, (3) reducing the prices for such commodity with consequent injury and destruction of such commerce in such commodity, and (4) causing a disparity between the prices for such commodity in interstate and foreign commerce and industrial products therein, with a consequent diminution of the volume of interstate and foreign commerce in industrial products.

(c) Whenever an abnormally excessive supply of rice exists, the marketing of such commodity by the producers thereof directly and substantially affects interstate and foreign commerce in such commodity and its products, and the operation of the provisions of this part becomes necessary and appropriate in order to promote, foster, and maintain an orderly flow of such supply in interstate and foreign commerce.

DEFINITIONS

SEC. 372. For the purposes of this part—

(a) "Marketing year" shall be the period from August 1 of one year to July 31 of the succeeding year.

(b) "Total supply" for any marketing year shall be the carry-over of rice for such marketing year plus the estimated production of rice in the United States during the calendar year in which such marketing year begins.

(c) "Carry-over" for any marketing year shall be the quantity of rice on hand in the United States at the beginning of such marketing year which was produced in the United States prior to the beginning of the calendar year then current.

(d) "Normal supply" shall be a normal year's domestic consumption and exports of rice plus 10 percent of a normal year's domestic consumption and exports as an allowance for a normal carry-over.

(e) "Reserve supply level" shall be a normal year's domestic consumption and exports of rice, plus 21 percent of a normal year's domestic consumption and exports of rice to insure a supply adequate to meet domestic consumption and export needs in years of drought, flood, or other adverse conditions, as well as in years of plenty.

(f) "Normal year's domestic consumption" shall be the yearly average quantity of rice produced in the United States that was consumed in the United States during the 10 marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption.

(g) "Normal year's exports" shall be the yearly average quantity of rice that was produced in the United States and exported therefrom during the 10 marketing years immediately preceding the marketing year in which such exports are determined, adjusted for current trends for such exports.

(h) "Marketed" shall be the disposition by sale, barter, exchange, or gift, of rice used or to be used for human consumption.

DOMESTIC ALLOTMENT OF RICE

SEC. 373. (a) Not later than December 31 of each year the Secretary shall ascertain from the latest available statistics of the Department and shall announce the total amount of rice which will be needed during the next succeeding marketing year to meet the requirements of consumers in the United States, and in Cuba if at the time of such announcement the Cuban tariff rate on not less than 100,000,000 pounds of rice imported into Cuba from the United States is at least \$1.70 per 100 pounds less than the tariff rate on rice imported into Cuba from countries other than the United States. Such amount is hereinafter referred to as the "domestic allotment of rice."

(b) Within 30 days after the enactment of this act the Secretary shall ascertain from the latest available statistics of the Department of Agriculture and shall announce the total amount of rice which will be needed during the marketing year commencing August 1, 1937, to meet the requirements of consumers as provided in subsection (a).

(c) The domestic allotments of rice for the marketing years commencing August 1, 1937, and August 1, 1938, shall be appor-

tioned by the Secretary among the several States in which rice is produced on the following basis: First, between California, on the one hand, and all other States, on the other hand, in proportion to the rice base production established for such States under the 1937 agricultural conservation program; second, among the States other than California in proportion to the average of (1) the rice base production established for each State under the 1937 agricultural conservation program, (2) the average amount of rice produced in each State during the 5-year period 1932-36, and (3) the amount of rice produced in each State in 1937. The domestic allotment of rice for each subsequent marketing year shall be apportioned by the Secretary among the several States in which rice is produced in proportion to the larger of (1) the average amount of rice produced in each State during the 5-year period including the calendar year in which such domestic allotment is announced, or (2) the domestic allotment made to each State for the preceding year.

(d) The Secretary shall provide, through local and State committees of farmers, for the allotment of each State apportionment among persons producing rice in such State. Such allotment with respect to the marketing years commencing August 1, 1937, and August 1, 1938, shall be made on the basis of the average of (1), if such a base was established, the rice base production established for each such person under the 1937 agricultural conservation program, (2) the average amount of rice produced by each such person during the 5-year period, 1932-36, including the normal production of any acreage retired or diverted from rice production by such person during such years under agricultural adjustment and conservation programs, and (3) the amount of rice produced by each such person in 1937, including the normal production of any acreage diverted from rice production by such person during such year under the agricultural conservation program, with such adjustments as may be necessary in order that the allotment for each person shall be fair and reasonable as compared with allotments established for other persons having similar conditions with respect to the following: Land, labor, and equipment available for the production of rice; crop rotation practices, soil fertility, and other physical factors affecting the production of rice, and such allotment for subsequent years shall be made on the basis of the larger of (1) the average amount of rice produced by each person during the 5-year period upon which State apportionments pursuant to subsection (c) are based for such year, or (2) the allotment made to such person for the preceding year, with such adjustments as may be necessary in order that the allotment for each person shall be fair and reasonable as compared with allotments established for other persons having similar conditions with respect to the following: Land, labor, and equipment available for the production of rice; crop rotation practices, soil fertility, and other physical factors affecting the production of rice: *Provided*, That not exceeding 3 percent of each State apportionment shall be available for allotment among persons who, for the first time in 5 years, produce rice to be marketed in the marketing year next succeeding the marketing year in which such State apportionment is made, such allotments to be made upon such basis as the Secretary deems fair and just and will apply to all persons to whom an apportionment is made under this provision uniformly within the State on the basis or classification adopted. In determining the average amount of rice produced by any person during any 5-year period there shall be omitted from such computation any year in which the amount of rice produced by such person is less than 75 percent of the average amount computed by including such year, if such deficiency in production for such year was due to damage caused by storms, salt water, or other uncontrollable acts of Nature.

MARKETING QUOTAS

Sec. 374. (a) If at the time of any announcement made under the provisions of section 373 (a) it shall appear from the latest available statistics of the Department that the total supply of rice exceeds the reserve supply level thereof for the current marketing year, the Secretary shall also announce that, beginning on the first day of the marketing year next following and continuing throughout such year a national marketing quota shall be in effect for marketings of rice by producers: *Provided*, That no marketing quota shall be in effect for the marketing year commencing August 1, 1938. The Secretary shall also ascertain and specify in such announcement the amount of the national marketing quota in terms of the total quantity thereof which may be marketed by producers which shall be that amount of rice which the Secretary determines will make available during such marketing year a normal supply.

(b) Within 30 days after the date of the issuance of the announcement specified in subsection (a) of this section the Secretary shall conduct a referendum of all farmers who would be subject to the national marketing quota for rice to determine whether such farmers are in favor of or opposed to such quota. If more than one-third of the farmers voting in the referendum oppose such quota, the Secretary shall, prior to the 15th day of February, announce the result of the referendum, and such quota shall not become effective.

(c) The national marketing quota shall be apportioned among States and farmers, including new producers, in the manner and upon the basis set forth in section 373 for the apportionment of the domestic allotment of rice.

(d) Marketing quotas may be transferred only in such manner and subject to such conditions as the Secretary may prescribe by regulations.

(e) If the Secretary has reason to believe that any national marketing quota for rice will not make a normal supply of rice available for marketing during the marketing year for which such quota has been established, he shall cause an immediate investigation to be made with respect thereto in the course of which due notice and opportunity for public hearing shall be given to interested persons. If, upon the basis of such investigation, the Secretary finds the existence of such fact, he shall announce the same forthwith and shall specify the termination of, or such increase in, the national marketing quota as he finds upon the basis of such investigation will make available for marketing during such marketing year a normal supply of rice. If the national marketing quota is increased pursuant to the provisions of this subsection, the amount of each producer's marketing quota shall be increased in the same ratio.

(f) If the Secretary has reason to believe that because of a national emergency or because of a material increase in export demand any national marketing quota for rice should be terminated, he shall cause an immediate investigation to be made to determine whether the termination of such quota is necessary in order to effectuate the declared policy of this act or to meet an increased demand arising from such export demand or such emergency. If upon the basis of such investigation the Secretary finds that such termination is necessary, he shall immediately announce such finding and thereupon such quota shall terminate.

PENALTIES

Sec. 375. (a) Any person who markets rice from a farm in excess of the farm marketing quota and any person who knowingly acquires rice so marketed shall be subject to a penalty of one-quarter of a cent per pound of the excess so marketed, but not more than one penalty shall be collected with respect to the same rice.

(b) The penalties provided for in subsection (a) of this section shall be collected and paid in such manner, at such time, and under such conditions (either by requiring returns to be made and filed, or by stamps, coupons, tickets, books, tags, or other reasonable devices or methods necessary or helpful in securing a complete and proper collection and payment of such penalties or in properly identifying marketings which are free from penalties) as the Secretary may by regulations prescribe. The penalties provided for under subsection (a) of this section shall be collected under the direction of the Secretary and shall be covered into the general fund of the Treasury of the United States.

(c) All persons, in whatever capacity acting, including producers, warehousemen, processors of rice, and common carriers and persons engaged in the business of purchasing rice from farmers, shall, from time to time on request of the Secretary, report to the Secretary such information and keep such records as the Secretary finds to be necessary to enable him to carry out the provisions of this part. Such information shall be reported and such records shall be kept in accordance with forms which the Secretary shall prescribe. For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report, but not so furnished, the Secretary is hereby authorized to examine such books, papers, records, accounts, correspondence, contracts, documents, and memoranda as he has reason to believe are relevant and are within the control of such person.

(d) All information reported to or acquired by the Secretary pursuant to this section shall be kept confidential by the Department, except that such information as the Secretary deems relevant may be disclosed in a suit or administrative hearing involving the administration of this part.

PUBLICATION AND REVIEW OF QUOTAS

Sec. 376. The farm marketing quotas for rice established for farms in a county or other local administrative area shall be made available for public inspection and may be reviewed in the manner provided in part VI of this title.

Mr. DEROUEN. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. DEROUEN: Page 68, line 15, strike out the figure "21" and insert in lieu thereof the figure "20."

Page 68, line 22, after the word "the", strike out the word "ten" and insert in lieu thereof the word "five."

Page 69, line 3, after the word "the", strike out the word "ten" and insert in lieu thereof the word "five."

Page 69, line 8, after the last word, "consumption", of line 8, insert the following new paragraph (1) to section 372 and add the new sections 373 and 374:

"(1) 'Normal yield' per acre of rice for any land planted to rice in any year shall be the average yield per acre thereof during the 5 calendar years immediately preceding the calendar year for which such normal yield is determined. If for any reason there is no actual yield or the data therefor are not available for any year, then an appraised yield for such year, determined in accordance with the regulations of the Secretary, shall be used. If the average of the normal yields for all lands planted to rice in any year in the State (weighted by the acreage allotments therein) exceeds the average yield per acre for the State during the period used in determining normal yields, the normal yields for such lands in the State shall be reduced pro rata so that the average of such normal yields shall not exceed such State average yield.

"Sec. 373. National acreage allotment: The national acreage allotment of rice for any calendar year shall be that acreage which the Secretary determines will, on the basis of the national average

yield of rice for the 5 calendar years immediately preceding the calendar year for which such national average yield is determined, produce an amount of rice adequate, together with the estimated carry-over from the marketing year ending in such calendar year, to make available a supply for the marketing year commencing in such calendar year not less than the normal supply. Such national acreage allotment shall be announced not later than December 31 of each year.

"Sec. 374. Apportionment of national acreage allotment: (a) The national acreage allotment of rice for each calendar year shall be apportioned by the Secretary among the several States in which rice is produced in proportion to the average number of acres of rice in each State during the 5-year period immediately preceding the calendar year for which such national acreage allotment of rice is determined (plus in applicable years the acreage diverted under previous agricultural adjustment and conservation programs), with adjustments for trends in acreage during the applicable period.

"(b) Not less than 97 percent of the acreage allotted to any State shall be apportioned annually by the Secretary through local and State committees of farmers among the persons producing rice within such State on the basis of past production of rice; land, labor, and available equipment for the production of rice; crop-rotation practices, soil fertility, and other physical factors affecting the production of rice: *Provided*, That not exceeding 3 percent of the acreage allotted to each State shall be apportioned annually by the Secretary through local and State committees of farmers among persons who for the first time in the past 5 years are producing rice on the basis of the applicable standards of apportionment set forth in this subsection: *Provided further*, That a person producing rice for the first time in 5 years shall not be allotted an acreage in excess of 75 percent of the allotment that would be made to him if he were not producing rice for the first time in such 5 years.

"(c) Notwithstanding any other provision of this section, if for any reason other than flood or drought the acreage planted to rice during any calendar year is less than 80 percent of the rice producers' acreage allotment for such year, such acreage allotment shall be 25 percent in excess of such planted acreage."

Page 69, line 10, strike out the section designation "Sec. 373" and insert in lieu thereof "Sec. 375."

Page 69, lines 15 to 20, after the words "United States", line 15, change the comma to a period and strike out all the rest of lines 15, 16, 17, 18, 19, up to and including the words "United States", on line 20.

Page 70, lines 3 to 16, after "(c)", line 3, beginning with the word "The" strike out all of the language up to and including the period after the figure "1937", line 16.

Page 70, lines 16 and 17, after the word "each", strike out the word "subsequent."

Page 70, line 19, after the word "to", strike out the language "the larger of (1)."

Page 70, lines 22 and 23, after the comma following the word "announced", strike out the language "or (2) the domestic allotment made to each State for the preceding year." and insert in lieu thereof the following: "(plus, in applicable years, the normal production of any acreage diverted under previous agricultural adjustment and conservation programs), with adjustments for abnormal weather conditions and trends in acreage during the applicable period."

Page 71, lines 2 to 25, beginning with the first word of line 2, strike out all of the language on lines 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, up to and including the last word "apportion-", of line 25 and insert in lieu thereof the following: "The apportionment of the domestic allotment of rice among persons producing rice in each State shall be on the basis of the aggregate normal yields of the acreage allotments established with respect to such persons."

Page 72, lines 1 to 25, strike out all of page 72, beginning of line 1 and including the last word of line 25.

Page 73, line 2, strike out the section designation "Sec. 374" and insert in lieu thereof "Sec. 376."

Page 73, line 3, after the word "section", strike out the figure "373" and insert in lieu thereof the figure "375."

Page 73, line 20, after the word "all", strike out the word "farmers" and insert in lieu thereof the following: "producers."

Page 73, line 22, after the word "such", strike out the word "farmers" and insert in lieu thereof the following: "producers."

Page 73, line 23, after the word "the", strike out the word "farmers" and insert in lieu thereof the following: "producers."

Page 74, line 4, after the word "and", strike out the word "farmers" and insert in lieu thereof the following: "persons producing rice in each State."

Page 74, line 5, after the word "section", strike out the figure "373" and insert in lieu thereof the figure "375."

Page 75, line 13, strike out the section designation "Sec. 375" and insert in lieu thereof "Sec. 377."

Page 75, lines 13 and 14, after the word "rice", line 13, strike out the words "from a farm in excess of the farm" and insert in lieu thereof the words "in excess of his."

Page 77, line 4, strike out the section designation "Sec. 376" and insert in lieu thereof "Sec. 378."

Page 77, line 4, after the word "The", strike out the word "farm."

Page 77, line 5, after the word "for", strike out the word "farms" and insert in lieu thereof the following: "persons producing rice."

Mr. DeROUEN. Mr. Chairman, the amendment that has just been read are changes recommended by the Department of Agriculture. They are more or less in the nature of clarifying and perfecting amendments, improving the language so as to fit in with the entire scheme of the bill.

The rice industry of the States of California, Texas, Louisiana, and Arkansas is in agreement on these changes.

Mr. JONES. Mr. Chairman, I understand that all those interested in rice have agreed to these changes. I have no objection to them.

Mr. ANDRESEN of Minnesota. Mr. Chairman, may I inquire of the gentleman if he has not rewritten the entire rice provision?

Mr. DeROUEN. No, I have not.

Mr. ANDRESEN of Minnesota. As I understood it, the gentleman in his amendment struck out several pages of the rice-marketing quota.

Mr. DeROUEN. That is correct.

Mr. ANDRESEN of Minnesota. But that the language of the gentleman's amendment accomplishes virtually the same object.

Mr. DeROUEN. Exactly; it accomplishes the same purpose except that it is much shorter.

Mr. ANDRESEN of Minnesota. I just want to point out to the gentleman, and I do not want to delay this at all, that he provides marketing quotas for rice.

Mr. DeROUEN. That is correct.

Mr. ANDRESEN of Minnesota. The gentleman assumes, or attempts at least, to control rice production and I just want to call his attention to the fact that during the first 10 months of this year, from January 1 to November 1, 175,000,000 pounds of rice were imported into this country.

Does the gentleman make any provision at all to stop the importation of rice produced in foreign countries in this general control scheme?

Mr. DeROUEN. No; we did not deal with that.

Mr. ANDRESEN of Minnesota. Does the gentleman mean to tell me this rice is going to continue to come into the country and depress the price of domestic rice when we are trying to control it?

Mr. DeROUEN. The gentleman is well aware of the fact we have a tariff. We are protected.

Mr. ANDRESEN of Minnesota. We also have a reciprocal-trade agreement?

Mr. DeROUEN. That is also true.

Mr. ANDRESEN of Minnesota. Then if we would attempt to restrict the imports of rice into this country, it might interfere with our reciprocal-trade policy?

Mr. DeROUEN. I do not know.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Chairman, for some reason the bells failed to ring this morning in the committee rooms of the Committee on Banking and Currency giving notice of a call of the House. On behalf of members of the Banking and Currency Committee who failed to answer to their names on that roll call, I would like the RECORD to show that the bells failed to ring.

Mr. FISH. Mr. Chairman, I move to strike out the last word, namely, the word "farmer."

Mr. Chairman, I do not claim to be a dirt farmer, but I do represent a great agricultural district, a great dairy, vegetable, and fruit-growing and poultry district. I happen to belong to the Dutchess County Farm Bureau, the local Grange, the Pomona Grange, and the National Grange, but I have never laid claim to being a dirt farmer like my distinguished constituent, the President of the United States. The fact is the President is not a dirt farmer. He is not a farmer but a grower of Christmas trees. According to his own word, he grows Christmas trees for sale. [Applause.]

It is very appropriate that he should be growing Christmas trees. It might well be a symbol for the New Deal, as the donkey is for the Democratic party. I am not here as a spokesman of the President from my congressional district. Whether he is my constituent or I am his con-

stituent is a matter that has not been decided. But I am here as the representative of the farmers of my district, the dirt farmers of my district, Republicans and Democrats alike.

There is not a single district in the United States that is discriminated against more by the New Deal and by this type of farm legislation than is the Twenty-sixth Congressional District of the State of New York. As a matter of fact, most of the up-State districts of New York are being crucified by discriminatory legislation. We pay taxes and still more taxes to increase the price of the farm products of the South and West, which we buy for our dairy industry and for our poultry industry.

In addition to that, the Canadian trade treaty permits Canadian farmers to pour their products, including vegetables, cream, milk, fruit, and farm products, into the cities of New York, Boston, and Philadelphia in competition with the farmers of my district. Furthermore, unless the Boileau amendment is agreed to, my farmers, who pay and get nothing in return, who are discriminated against right and left, will be penalized by the pending farm bill because you take acreage out of production through Government subsidies and use it to develop new dairy pastures in order to produce more dairy products in competition with our dairymen of the North and East. There will also be more competition with our vegetable growers, our poultry raisers, and fruit growers if the acreage taken out of production by Government subsidies are used to compete with them.

Mr. Chairman, I think the time has come to let the Congress know that the farmers of my district have been more discriminated against by the New Deal, and unless the Boileau amendment is adopted the farmers and dairymen of the North and Eastern States will continue to pay the bills and receive no benefits. [Applause.]

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COCHRAN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the gentleman from New York seeks to strike out the word "farmer." He is really striking at the farmer when he makes such speeches. As usual, the gentleman from New York [Mr. FISH], who is one of the leaders of the wrecking crew, brings in the President's name when there was no reason on earth why he should have done so. What if the President does raise Christmas trees? There is nothing wrong with that. There is nothing in this bill that provides a subsidy for those who raise Christmas trees? At least the President raises something and that certainly is more than the Representative of his congressional district raises, although he admits he belongs to every farm organization in his district, as well as those outside his district.

If the gentleman would only get his rich Republican friends to stop spreading fear among the people of the country and insist that they cooperate with the President conditions would improve, and it would be beneficial to the farmers that he represents. You should have learned a lesson from the last election. All that resulted from your criticism of the President was an increase in the number of votes the President received. Pay a little attention to the Governor of Vermont. He is giving the Republicans some real sound advice.

Mr. Chairman, I have listened to a great deal of the debate on this bill, and I confess I really do not understand the situation, because you hear one argument and then immediately after you hear another representative of the farmer take just the opposite view. For instance, one says the price of corn is reflected in the price of pork and beef. Others do not agree. It so happens that my father was a pork packer. He was engaged in that business from the time he was a young man until he died. I happened to have some of his

records, and over 50 years ago he paid more for hogs than hogs brought during 1 year of the Hoover administration. Now during that year of the Hoover administration there was no surplus crop of corn, but on the contrary it was what your farmers call a lean year. There you have facts and figures which do not bear out your contention that you always find the price of hogs low when you have an abundance of corn.

If the argument is sound that during lean years pork is high and during years you have a surplus or large crop of corn pork is low, how do you account for the fact that pork sold for less than \$3 during 1 year of the Hoover administration? You had a short crop that year.

I will tell you why the price of pork is low today and was low then. It is because the consumers of pork, like a great many people I represent, do not have purchasing power. Members who represent the farmers, bear that in mind. I am going to help you, but it is very distressing to note that the representatives of the farmers of the country after all these years are unable to come to some kind of an agreement that will solve their problem. We want your problem solved because, as I have often stated, if we can put money in the farmers' pocket, then he will buy what we manufacture in the cities, and that means jobs for our constituents. It likewise means those we represent will have money to buy your corn, wheat, cotton, dairy products, poultry, and everything else the farmer produces. The fathers and mothers in the cities are more than anxious to buy what their children need. The children in the cities are now undernourished because so many of their parents are unable to secure employment. Just get some figures on consumption and you will find it is underconsumption more than overproduction that creates some of the big surpluses that you refer to. If the people of this country were properly fed today you would have no surplus of farm products despite the great yields of the present year. So I say in assisting to solve your problem we likewise are solving our own problem and here again it is cooperation that will bring results. How? Well, I will tell you.

When we advance legislation by which we seek to increase the purchasing power of the people whom we represent so they can buy your products, do not oppose us, but vote to help us. Let us increase the purchasing power of the consumers so that instead of buying a piece of salt pork and putting it into a pot of beans, as millions in the cities are forced to do today, they will be buying your hams, your bacon, and your beef, as well as the dairy products and the vegetables that come from the district of the gentleman from New York [Mr. FISH].

The Members here who represent the city districts have joined with you in trying to help you assist your people. Therefore when we have legislation to try to help our people so they can make money to feed their families properly, remember that we helped you, and assist us to pass our bills. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. DEROUEN].

The amendment was agreed to.

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this part of the title and all amendments thereto do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. JONES. Mr. Chairman, I ask unanimous consent to return to page 8, for the sole purpose of considering two amendments to be offered by the gentleman from Louisiana [Mr. DEROUEN] to make that part of the bill conform with the amendments just agreed to.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DEROUEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DEROUEN: Page 8, line 3, after the word "tobacco", insert the following:

"In the case of rice, not less than 97 percent of the acreage allotted to any State shall be apportioned annually by the Secretary through local and State committees of farmers among the persons producing rice within such State on the basis of past production of rice; land, labor, and available equipment for the production of rice; crop-rotation practices; soil fertility and other physical factors affecting the production of rice: *Provided*, That not exceeding 3 percent of the acreage allotted to each State shall be apportioned annually by the Secretary through local and State committees of farmers among persons who for the first time in the past 5 years are producing rice on the basis of the applicable standards of apportionment set forth in this subsection: *Provided further*, That a person producing rice for the first time in 5 years shall not be allotted an acreage in excess of 75 percent of the allotment that would be made to him if he were not producing rice for the first time in such 5 years."

The amendment was agreed to.

Mr. DEROUEN. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. DEROUEN: Page 8, line 11, strike out "rice," and on page 8, line 24, after the period, insert:

Normal yield per acre of rice for any land planted to rice in any year shall be the average yield per acre thereof during the 5 calendar years immediately preceding the calendar year for which such normal yield is determined. If for any reason there is no actual yield, or the data therefor are not available, for any year, then an appraised yield for such year, determined in accordance with the regulations of the Secretary, shall be used. If the average of the normal yields for all lands planted to rice in any year in the State (weighted by the acreage allotments therein) exceeds the average yield per acre for the State during the period used in determining normal yields, the normal yields for such lands in the State shall be reduced pro rata so that the average of such normal yields shall not exceed such State average yield.

The amendment was agreed to.

Mr. JONES. Mr. Chairman, I ask unanimous consent that part VI may be considered in its entirety.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read as follows:

PART VI—PUBLICATION AND REVIEW OF QUOTAS

APPLICATION OF PART

SEC. 381. This part shall apply to the publication and review of farm marketing quotas established for tobacco, field corn, wheat, cotton, and rice, established under this title.

PUBLICATION AND NOTICE OF QUOTA

SEC. 382. The farm marketing quotas established for farms in a county or other local administrative area shall, in accordance with regulations of the Secretary, be made available for public inspection in such county or other local administrative area. Notice of the farm marketing quota of his farm shall be mailed to the farmer.

REVIEW BY REVIEW COMMITTEE

SEC. 383. Any farmer who is dissatisfied with his farm marketing quota may, within 15 days after mailing to him of notice as provided in subsection (a), have such quota reviewed by a local review committee composed of three farmers appointed by the Secretary. Such committee shall not include any member of the local committee which determined the farm acreage allotment, the normal yield, or the farm marketing quota for such farm. Unless application for review is made within such period the original determination of the farm marketing quota shall be final.

REVIEW COMMITTEE

SEC. 384. The members of the review committee shall receive as compensation for their services the same per diem as that received by the members of the committee utilized for the purposes of the Soil Conservation and Domestic Allotment Act, as amended. The members of the review committee shall not be entitled to receive compensation for more than 30 days in any one year.

INSTITUTION OF PROCEEDINGS

SEC. 385. If the farmer is dissatisfied with the determination of the review committee, he may, within 15 days after a notice of such determination is mailed to him by registered mail, file a bill in equity against the review committee as defendant in the United States district court for the district in which he is an inhabitant or operates his farm, for the purpose of obtaining a review of such determination. Bond shall be given in an amount and with surety satisfactory to the court to secure the United States for the costs of the proceeding. The bill of complaint in such proceeding may be served by delivering a copy thereof to any one of the members of the review committee. Thereupon the review committee shall certify and file in the court a transcript of the record upon which the determination complained of was made.

COURT REVIEW

SEC. 386. The review by the court shall be limited to questions of law, and the findings of fact by the review committee, if supported by evidence, shall be conclusive. If application is made to the court for leave to adduce additional evidence, and it is shown to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the review committee, the court may direct such additional evidence to be taken before the review committee in such manner and upon such terms and conditions as to the court may seem proper. The review committee may modify its findings of fact or its determination by reason of the additional evidence so taken, and it shall file with the court such modified findings or determination, which findings of fact shall be conclusive. At the earliest convenient time, the court shall hear and determine the case upon the original record of the hearing before the review committee, and upon such record as supplemented if supplemented by further hearing before the review committee pursuant to direction of the court. The court shall affirm the review committee's determination, or modified determination, if the court determines that the same is in accordance with law. If the court determines that such determination or modified determination is not in accordance with law, the court shall remand the proceeding to the review committee with direction either to make such determination as the court shall determine to be in accordance with law or to take such further proceedings as, in the court's opinion, the law requires.

EXCLUSIVE JURISDICTION

SEC. 387. Notwithstanding any other provision of law, no court of the United States or of any State shall have jurisdiction to pass upon the legal validity of any determination by the review committee pursuant to this part except in a proceeding under this part. The commencement of judicial proceedings under this part shall not, unless specifically ordered by the court, operate as a stay of the review committee's determination.

NO EFFECT ON OTHER QUOTAS

SEC. 388. Notwithstanding any increase of any farm marketing quota for any farm as a result of the review of the determination thereof under this part, the marketing quotas for other farms shall not be affected.

Mr. HANCOCK of North Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK of North Carolina: On page 77, section 382, of part 6, after the period in line 19, add the following:

"The farm marketing quota for tobacco established for farmers in a county or other local administrative area shall be made available for public inspection by posting in a public place in each township or governmental unit affected the following information: Name of the farmer; the number of tenants and sharecroppers, if any; the total cultivated acreage in the farm; the amount of the allotment or marketing quota; and the percentage of the total cultivated acreage allotted to tobacco. An additional certified copy of this information shall be kept available in the office of the county agricultural agent."

Mr. FLANNAGAN. Mr. Chairman, I may state that the tobacco Representatives have gone over this amendment and have agreed to it.

The amendment was agreed to.

Mr. JONES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 78, line 21, strike out "he is an inhabitant or operates his farm," and insert "his farm is located."

The amendment was agreed to.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDRESEN of Minnesota: Page 80, at the end of the page insert a new title, as follows: "Title IV—Dairy Farmer Benefits", and on page 81, line 1, strike out "IV" and insert "V."

Mr. ANDRESEN of Minnesota. Mr. Chairman, I may say to the chairman of the Committee on Agriculture that a new title is sought to be inserted in the bill by this amendment, being "Title IV—Dairy-farmer benefits."

The chairman will recall that in our Committee on Agriculture a special committee was appointed to secure benefits for the dairy farmers of this country. It is always proper and customary to have a title to what is to follow for a particular group in the consideration of a bill such as this, so I have offered title IV as a title for the dairy farmers. But I must, of course, leave it to the Committee of the Whole

and to Congress to decide whether or not any benefits for the dairy farmers shall be included in the bill. At the present time there are no benefits for the dairy farmers, yet, as you know, this is the largest agricultural industry in the United States.

Mr. Chairman, if this title is adopted, I propose to follow up this amendment with certain other amendments. However, in order to be fair about it, I believe we should at least unanimously adopt the title and then consider the amendments in order as they are offered.

Before presenting the amendments, I desire to point out some pertinent facts in regard to the dairy industry. The production of milk and dairy products is the largest agricultural business in the United States. As compared with the five basic commodities covered by the proposed bill for the 1936-37 crop year, the following figures tell the story: Milk, \$1,761,000,000; cotton (lint and seed), \$947,797,000; corn, \$1,518,411,000; wheat, \$624,338,000; tobacco, \$269,061,000; rice, \$40,730,000.

The dairy industry received no benefits whatsoever from the operations of the Agricultural Adjustment Act or other New Deal legislation. Quite to the contrary, the dairy farmers of this country have been used as trading stock by the administration in the carrying out of its reciprocal-trade policy. Tariff duties have been slashed on dairy products and foreign farmers encouraged to increase their production for shipment into the United States in competition with domestic production. During the first 9 months of 1937, 10,148,000 pounds of butter and 42,000,000 pounds of cheese produced in foreign countries entered our ports for sale in this country. In the same period several hundred million pounds of competitive oils and fats were imported to be used in competition with dairy products. The effect of these importations has been to reduce the price received by American dairy farmers for their products with a consequent loss in purchasing power.

No unit of agriculture has a greater purchasing power than the dairying industry. The dairy farmer has a daily cash income and he is generally a good spender when he has the money. The dairy group has asked very little from the New Deal administration. Their only request, which required no subsidy, was for the preservation of their American market. This has been denied to them, and instead of giving them relief they have been bartered away.

If permanent farm legislation is to be adopted, as proposed in the pending bill, the dairy farmers demand the right to be included in the economic picture for agriculture. Each basic commodity covered by the bill has written its own ticket, and now the following amendments are offered for adoption and inclusion in the bill as the permanent program for the dairy industry.

ANDRESEN DAIRY AMENDMENTS

SECTION 1. The importation of agricultural products into the United States is hereby prohibited where the landed cost of such products plus the tariff duties are lower than the domestic cost of production.

This amendment covers all farm products, since the dairy group is of the firm conviction that all branches of American agriculture are entitled to have the full benefit of the domestic market.

SEC. 2. The Secretary of State is hereby directed to discontinue the practice of binding on the free list or binding at the present rate of excise taxes, agricultural commodities imported into the United States. The Secretary of State is further authorized to advise the Governments of Brazil and the Netherlands that at the expiration date of the respective trade agreements the concessions granted by the United States with reference to binding babassu oil and starches on the free list and freezing the excise tax on palm oil at 3 cents per pound will not be continued.

SEC. 3. That on and after 6 months from the enactment of this act, foreign shipments of dairy products into the United States are prohibited unless said dairy products have been produced from milk or cream of cows which are free from bovine tuberculosis.

This amendment, designated as section 3, only seeks to compel foreign farmers who desire to ship their dairy products into the United States, to comply with the same sanitary

regulations and laws as are in effect for American dairy farmers.

In order that Congress may have the benefit of the judgment of one of the leading cooperative dairy associations in this country on the so-called sanitary amendment, which I am about to offer, I will quote from the annual report of Mr. Charles W. Holman, secretary of the National Cooperative Milk Producers' Federation, considered at the annual convention at Baltimore on November 1, 1937.

The program for the eradication of bovine tuberculosis in the United States began in 1917. Since that time the Federal Government and the governments of the several States have expended \$267,000,000 in administrative expenses and in indemnity payments to farmers for the slaughter of animals infected with bovine tuberculosis. In addition to this amount spent from Government funds, at least another \$100,000,000 has come out of the pockets of the farmers whose animals have been slaughtered as a result of this long drive in the interest of public health.

The United States is today practically free of bovine tuberculosis. In contrast with this situation, very little has been done by the countries which are sending dairy products into the United States. In some countries tuberculosis among dairy animals is reported to be as high as from 60 to 65 percent.

Our federation is on record in favor of legislation to require that dairy products imported into this country meet the same sanitary standards as are required of our own domestic farmers.

We have suggested to Congress legislation requiring that imports of dairy products be forbidden unless they are produced by herds either free from bovine tuberculosis or under official test for bovine tuberculosis.

It is hard to conceive of the objections which are made by certain administrative officials to this proposed legislation. They denounce the proposed legislation as a use of sanitary requirements for economic benefits. They have not, however, given any argument to substantiate the discrimination which is being practiced against our American dairy farmers.

There is no justification for requiring by law that American farmers test their herds for tuberculosis and slaughter tuberculin animals, while we at the same time permit dairy products to come into this country from herds which are under no such governmental restriction.

It seems that the issue may well be joined on this one phase of equality of treatment as between our own dairy farmers and the producers of foreign countries. We ask for no embargo nor any discrimination against foreign producers. We ask simply that they meet the same conditions when entering our markets as are imposed on our domestic producers. In addition, we are ready to have the same requirements placed on shipments in interstate commerce.

Some arguments have been made by governmental officials that the tuberculin germ is not transmitted to dairy cows or livestock through manufactured dairy products and therefore the sanitary restrictions are unnecessary. This argument presupposes that tuberculosis control in the United States was intended solely for the purpose of preventing the spread of tuberculosis among dairy cows and livestock.

As a matter of fact, the most important consideration was the interest from the standpoint of public health in the development of an adequate and pure milk supply. Scientific data is available showing that tuberculosis may be transmitted to humans through milk and it was for this reason that the tuberculosis-eradication program was started in 1917. It is to the interest of dairy farmers of America to maintain an adequate and safe supply of dairy products for the American consumer. They, in cooperation with the State and Federal Governments, have spent nearly \$400,000,000 to do this job. Is it, therefore, unreasonable for them to ask that foreign producers competing with American markets do likewise?

We are hopeful that Congress will consider legislation of this character in the coming session. We will urge that it be included in any general farm legislation. If legislation is to be enacted for the benefit of other farm groups in an omnibus bill, why should not this particular legislation of vital interest to dairy farmers be included?

One of the difficult situations in connection with legislation of this character arises out of the fact that in many, if not all, of the trade agreements already entered into, our State Department has agreed that no new sanitary requirements will be imposed by the United States without consulting the foreign government involved. They have agreed that if the foreign government does not concur in our proposed sanitary requirements, the matter is to be referred to a commission appointed by both parties.

While this action on the part of the State Department has placed a formidable obstruction in the way of putting our proposed sanitary bill into immediate operation, it does not mean that we cannot get ahead with the legislation. The Secretary of State can be instructed to advise the foreign countries of our proposed sanitary regulation and he can be further directed in the legislation to instruct the foreign governments that unless they concur in the proposal, the trade agreement between the foreign government and the United States will be canceled on the date fixed in the agreement for termination.

Mr. JONES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I believe it would be utterly ridiculous to adopt a title when there is nothing in the bill at the particular point. I do not concede, and I am sure the gentleman is not serious when he says it, that nothing has been done for the dairy industry. As a matter of fact, at the insistence and at the urgent request of representatives of the dairy industry we reenacted the marketing agreements last session. We wanted to make them a part of the general farm bill, but it was said that the necessity for these marketing agreements was so urgent, especially in the eastern dairy section, that we were asked to permit such provisions to be enacted at once, which we did, important and far reaching as they are. I understand they are operating with good effect. That is part I.

Mr. HOPE. Mr. Chairman, will the gentleman yield there?

Mr. JONES. Yes; I yield to the gentleman from Kansas.

Mr. HOPE. Do not the dairy marketing agreements the dairymen wanted have the same provisions for the so-called compulsory control on the part of the producers that this bill contains?

Mr. JONES. I am pleased the gentleman mentioned that. They are far more compulsory in their implications and in their terms than the provisions in this bill, because they regulate exactly how much milk a man may feed into the market under the terms of the agreements. The other part of his production may not go into the regular milk-marketing channels. These agreements cover the area from which this fight has come. We took care of the dairy industries, and have gone along with them all the time.

I believe they have received proper consideration in connection with farm legislation. They have a tax on a native commodity, cottonseed, which goes into oleomargarine. They have a tax on oleomargarine even when it is uncolored, and they have a higher tax when it is colored. They have a prohibitive license throughout the country areas on the dealers in that commodity.

Mr. ANDRESEN of Minnesota. Mr. Chairman, will the gentleman yield just for a question?

Mr. JONES. Yes; I yield.

Mr. ANDRESEN of Minnesota. The gentleman certainly would not have any objection to simply giving us a title in the bill here?

Mr. JONES. The dairy people are written in all through this bill. They are given the privilege of loans without any marketing quota so far as this bill is concerned. They are protected in every possible way, and I want to state to the gentleman that my people, and I know they are typical of a great many in the South and West, began to go out of the dairy business when prices began to increase. There are 164,000 less milk cows in the South than there were 4 years ago, according to the statistics. Those people do not want to milk cows. If you give them a fair price for their product they will not do that. Both the number of dairy cattle and the amount of cattle products have gone down in these regions in the last 4 years.

We not only have done this, but we have spent under section 32 in the last 3½ years \$30,000,000 in buying and distributing dairy products.

We have spent \$57,000,000 in the eradication of tuberculosis and Bang's disease. We spent a good portion of the money for the cattle program by which a great many cattle and dairy cows during the great drought were disposed of in the wheat and cotton sections.

I have gone along with the dairy people and have helped them in practically all of their legislation.

Mr. LORD. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. LORD. I think what the gentleman says is true with respect to eradicating tuberculosis, but a great deal of that expense has been put on the farmer and the herds of a great many farmers have been destroyed and he has not received

proper compensation. A great many farmers have been put out of business in order to give pure milk to the people and the farmer has been the sufferer in almost all instances.

Mr. JONES. Certainly, I know the dairy people would not want to have tuberculosis among their herds or milk from tubercular cows to be fed to babies. When wheat spoils or when cotton is destroyed, the Government does not take a part of that loss. Under this health measure the dairy farmer is given two-thirds the value of his animal. I am in favor of that; but, certainly, dairy farmers are not discriminated against, and throughout all the legislation are favors that have been given to the dairy industry.

[Here the gavel fell.]

Mr. BOILEAU. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I had not intended to take any time to talk about dairying again during the consideration of this bill, but the gentleman from Texas made so many misleading statements in 5 minutes that I think it is necessary to point out where he has been mistaken and to refer to the many misleading statements. I do not say that he deliberately made misleading statements, but it does not make any difference whether it is deliberate or not. If the statements are misleading they should be corrected.

The gentleman talked about marketing agreements being enacted during the last session at the instance of the dairy group. I agree with the gentleman in that statement, but I want to point out to the Members of the House that these marketing agreements are not for the benefit of the cheese producer, the butter producer, the condensery, or for the benefit of other manufactured products from milk. These marketing agreements are for the benefit of those in the milkshed, not in the dairy sections of the country, primarily as such; and, certainly, not in New York State outside of the milksheds, not in Wisconsin, not in Minnesota, not in Iowa, and not in the large dairy States.

These marketing agreements do not help us one iota. They help only those farmers producing milk at the milksheds in Texas, Mississippi, New York, Pennsylvania, all over the country, and they were not essential for the dairy industry as such, but only for fluid-milk producers.

The gentleman talks about oleomargarine and says that there is a tax on colored as well as uncolored oleomargarine. That is true, but he did not mention the fact that the tax on uncolored oleomargarine is only one-quarter of a cent a pound, while the tax on colored margarine is 10 cents a pound, because Congress felt that it was not advisable for the oleomargarine manufacturers to use a color that was a natural butter color, and fool the American people. As a result the protection is only one-quarter of a cent a pound so far as uncolored oleomargarine is concerned.

Then he talked about loans. That is the only thing in this bill that the dairyman can claim as a benefit. This bill provides that the Commodity Credit Corporation can, with the approval of the Secretary of Agriculture and the President, make loans on all agricultural commodities, including dairy products, on the same basis as any other commodity brought into the bill. There is no special treatment, but I say to you that under the present law they can make those same kind of loans they have been making. Under this bill it is only discretionary, and I assume, because of the discretionary features, they probably will not make any more loans on dairying than in the past.

The gentleman says the cow population has decreased. I quoted figures the other day which showed that in 1937, from 1932, the last year during which the program was in effect, there was an increase in the dairy-cow population of the South. Of course, if you use some other figures there may be a different result, but take it in the last year before the A. A. A. went into effect, and the last year of record, and there has been an increase in dairy cows, and then during the period from 1932 to 1935, the last year on which figures are available, at least the last year that I have been able to find, there was an increase in cheese production of

about 80 percent in the Southern States. The national increase throughout the entire country due to an increase of population was 23 percent and in my own State of Wisconsin, which produces over half the cheese of the United States, they increased their production of cheese only 13 percent as against the national average of 23 percent and the Southern States average of 80 percent, and in the State of Texas the increase was 76 percent. That is the competition that we are having.

The gentleman spoke something about purchasing dairy products. Yes, we have purchased some dairy products under the Surplus Commodity Act, a few million dollars have been spent in the purchase of dairying products.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BOILEAU. Mr. Chairman, I ask unanimous consent to proceed for 3 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BOILEAU. Yes; we have purchased some dairy products, but you have already earmarked \$65,000,000 a year for this fiscal year and the next fiscal year for cotton, while we get a few measly millions. I do not attempt to quote the exact figures, but the amount of money that we have used for the purpose of buying surplus dairy products in this country is just about equivalent to the amount of dairy products that we have brought into the country—imported. So it has not helped us, as a matter of fact, in our dairy products. As a matter of fact, the only dairy products that we have bought under the Surplus Commodity Corporation Act about equal the amount imported, so that we have been helping the foreigners rather than ourselves, and if we had kept them out we would not have had to spend this money. That is, in other words, you just took off the market the amount in value of dairy products that you let come in here.

The gentleman talked about the tuberculin test in cattle. Of course, the farmers have tried to eliminate Bang's disease and tried to eliminate bovine tuberculosis. We have done that largely as a health measure. Both diseases are detrimental to human life. We have done that as a benefit not for the dairy interest so much as for all of the people. The dairy industry got some help, perhaps, but the people were protected. The people got some benefit because of the fact that we eliminated these diseased cattle, but that should probably be charged to the people and not to the dairy industry, and then let me call attention to the fact that the dairy farmers themselves cooperated and lost a good deal of money not only in revenue during the time they were building up herds but also in the value of the cows that were destroyed by Federal edict.

It is not a one-sided proposition. The gentleman should not say that this is a benefit to the dairy farmers, and if he wants to be consistent he will come up before you in a little while when the gentleman from Minnesota [Mr. ANDRESEN] offers his amendment and help us adopt in the Committee of the Whole House an amendment that will keep out of this country butter and cheese and other milk products from other countries that are not up to the same standard that we have set ourselves, in order to protect the investment that we have made, in order to protect the investment that we have made in human life; and in order to protect the investment that we have made for the purpose of saving our people from tuberculosis, we should require the same standards for milk and cheese and dairy and other commodities coming into this country that we have set up for our own people.

Mr. FERGUSON. Mr. Chairman, I rise in opposition to the pro forma amendment.

I realize that this House has been considering this bill for several days. However, I would like the attention of the House for a few minutes, since the great product, wheat, settled its position in the bill in less than an hour as com-

pared with several hours occupied by dairy products, cotton, and tobacco. You heard no representative from the wheat district quarrel about the privilege of additional acreage in order that they might produce more wheat at less than the cost of production. It seems strange to me that the cotton Members would quarrel about the privilege of planting more cotton to raise at a price less than the cost of production. The Committee of the Whole followed the recommendation of those interested in wheat and took the quotas off of wheat. When you go back into the House I hope this House will sustain the action of the Committee and vote to keep Mr. COFFEE's amendment in the bill.

The philosophy of this bill is this: The conservation payments are made on a reduction of acreage, and the planting of these reduced acres to soil-building crops. That is the only control feature in the bill. Members have said to me time after time, "How are you going to control production if you do not keep the quotas in?" The quotas have absolutely nothing to do with production. Not one thing.

The only control of acreage is in the functioning of the soil-conservation law. That is through diverting wheat acres to soil-conserving crops. That is what the farmer is paid on. As the gentlemen from Texas pointed out, both the chairman of the committee and Mr. KLEBERG, the proper amount of money spent for soil conservation would absolutely control production. The theory of this thing is that if you penalize the wheat farmer 15 cents a bushel, he will keep his wheat on the farm and out of interstate commerce. I wish the Members of this House would turn to page 33 of the report and see the receipts of wheat in the terminal markets of the United States over a period of years. They have hardly varied 50,000,000 bushels over a period of 10 years. Every year the same amount of wheat goes into the terminal markets regardless of the crop. The farmers of wheat actually try to control that marketing and keep it on the farm. We have a fairly stable production of wheat, as you will see if you look on page 32 of the committee report. It has hovered around a billion bushels every year. How any economist, how anyone can reason that to keep wheat off the market and in the granaries in this country can possibly bolster the price of wheat, I cannot understand. It simply cannot be done. It would simply mean that the wheat would have to go on the market at a later date. If Congress really wants to tackle the problem and say we will limit these quotas, and guarantee the farmer the cost of production for the quota, he will be glad to accept those quotas. But when I go back to my wheat farmers, I cannot say, "You will be guaranteed a loan." There have been no loans made on wheat. There have been on corn.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. FERGUSON. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FERGUSON. When I go back to my wheat farmers with this bill I cannot say, "You are subsidized, as the cotton farmers are subsidized, to the extent of 3 cents a pound on cotton." Wheat has had neither loans nor subsidies, yet in this bill, if you take Mr. COFFEE's amendment out, I will have the privilege of saying, and other men from the wheat-producing districts will have the privilege of saying, "You get a penalty, but your benefits under the law are only those under the Soil Conservation Act."

Now, that is not a fair statement to take back to the wheat farmers. The Committee realized the injustice of wheat quotas and the Committee passed the Coffee amendment. I appeal to you when you go back into the House not to penalize the wheat farmers by imposing these unjust and unfair quotas on the producers of wheat. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division (demanded by Mr. ANDRESEN of Minnesota) there were—ayes 26, and noes 78. So the amendment was rejected.

Mr. WARREN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are now rapidly approaching the conclusion of a very long and difficult bill. I think I am correct in the statement that this measure has required a longer time for consideration by the House than any measure that has come up in the House of Representatives during my 13 years of service. Through the courtesy of the several Speakers, it has been my privilege to preside over practically every major bill that has been reported out by the Committee on Agriculture during the last 7 years. I think it is generally conceded that the Committee on Agriculture, both from the standpoint of personnel and from sheer ability, is one of the ablest and strongest committees in the House of Representatives. From my association with them I know that every member of that committee, be he a Democrat, a Republican, or a Progressive, is actively and vitally interested in agriculture and the problem of the American farmer. This debate simply goes to show the wide, divergent views when we begin to consider the farmers' problems. I say without reservation that the distinguished gentleman from Texas, Mr. JONES, is one of the fairest men I have ever known in any legislative body to handle a bill on the floor. [Applause.] I have sat here now for 10 days and have marveled at his patience, his unfailing courtesy, and his desire to cooperate and to see every side of every amendment that has been presented.

While I have not always agreed with his method of approach as to the treatment of various commodities, I regard him, and he is regarded in the Nation today, as the outstanding friend of the farmer in the Congress of the United States. [Applause.]

We are very thankful, indeed, for the tobacco provisions of this bill. I may say that the section dealing with tobacco has been under preparation for almost a year and was drawn by about 15 Members from the tobacco sections in collaboration with farmers and Department officials. In my opinion it is one of the very fairest sections in this entire bill and meets with the overwhelming approval of the tobacco farmers of the country. One of the irritating, vexing things that arose under our last tobacco act was the problem of the little farmer. Knowing that he must be provided for, we came in originally with a fair and just provision in his behalf.

This bill is going to be a very deep disappointment as a whole to thousands of farmers not only in North Carolina but in other sections of the country. Personally, I think the cotton sections are ineffective. It is a source of great disappointment to me that two great crops—to wit, peanuts and potatoes—are not included in the bill. I can only see continuous and sustained bankruptcy for the potato growers of the country. I am going to vote for this bill, however, mainly on account of its tobacco provisions and with the hope, Mr. Chairman, that in the quiet council chamber of a conference room a better and more acceptable measure may be worked out. [Applause.]

[Here the gavel fell.]

Mr. PIERCE. Mr. Chairman, I rise in opposition to the pro forma amendment.

My object in rising at this time, Mr. Chairman, when I know all are anxious to quit, is to say a word in reply to our friend from the Middle West who spoke in favor of the Coffee amendment cutting out the marketing quotas on wheat. I, as a Congressman from the wheat section, am very anxious to see that amendment go out and the marketing provisions restored to the bill as it came from the Committee on Agriculture. The Department of Agriculture is very desirous of having the marketing quotas in the law. Our colleague wonders why. He says they are of no effect. It will have some effect. It starts the normal granary. We know that the quota to be withheld, whatever it is, will not be on the market the year it is invoked. He says it is in the show-

case. True, we have a record of it, but it is carried over until such time as it can be exported or used to supplement a short crop. It is valuable in the operation of this law.

I am free to admit with our colleague from North Carolina that the bill is going to be a disappointment. It is going to be a disappointment to my section. I cannot see how we are going to get much benefit in the wheat country unless we can get more money. I think the ultimate solution must be for each one of these five commodities to bear its own burden—wheat, cotton, corn, rice, and tobacco. They must not continue to be a drain on the National Treasury. I think cotton ought to bear it. Tobacco is no drain on the Treasury. I think wheat ought ultimately to bear it; in other words, I think the people of this country ought to pay sufficient for their wheat to continue to pay for the production of it.

It is true there is no control over production in the bill even if the marketing quotas are restored, but there is that much of a start toward control. It does provide a penalty for marketing beyond the quota. If we get another 1,000,000,000-bushel crop of wheat this year then we are face to face with 25-cent wheat and a condition that will wreck the wheat farmers from one end of the country to the other. If I had my way I would make the marketing quotas lower than those voted this morning on corn, because I think they were entirely too high. I would have lowered them on wheat; but the figures in the bill as originally reported are the figures the Department wants, and I am asking our colleagues from the cities as well as the wheat country to restore the marketing provisions in the bill. It is a gesture, but it is a mighty strong one and one that will be acceptable to the wheat-producing regions.

[Here the gavel fell.]

Mr. WHITTINGTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITTINGTON: On page 79, line 22, after the word "court", insert "in term time or vacation."

Mr. JONES. Mr. Chairman, I see no objection to this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The amendment was agreed to.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Page 78, line 20, after the word "court" strike out the word "for" and insert "or in any court of record of the State sitting in the county or."

Mr. HOFFMAN. Mr. Chairman, it is one thing to pass a bill, but it is another thing to make it work. Some of us still remember the N. R. A. and that men who were charged with the violation of some of the rules and regulations were taken from one part of the State across to another part of the State, to a distant city, to meet charges which were made against them. That procedure involved unnecessary expense, made it, in fact, practically impossible for an individual, unless he was wealthy, to defend himself.

The amendment I have offered has to do with actions against those who are charged with the violation of some rule or regulation of this bill.

If you will turn to page 39 you will find this language:

In any action brought to enforce the collection of penalties provided for in this section the farmer shall have the burden of proving that he did not market field corn in excess of his farm marketing quota.

Under that provision a farmer charged with a violation of a regulation must prove that he is innocent of the charge made against him. That is contrary to the established thought and practice of this country, where every man has always been presumed to be innocent until his guilt was shown. It places upon the individual the burden, sometimes unbearable, of disproving any charge which a Government official or some other person may make against him.

We tried to have that provision stricken, but the amendment was defeated.

Down below, just a few lines, we find this provision:

The penalties provided for in subsection (a) of this section shall be collected and paid in such manner, at such time, and under such conditions as the Secretary may by regulations prescribe.

If under the preceding provision a farmer has not been able to show that he is not guilty, then the Secretary of Agriculture may collect the penalty "in such manner, at such time, and under such conditions" as he, the Secretary, may fix.

Do you realize what that means? A farmer is not entitled to a trial by jury nor even to a hearing before a court.

Mr. JONES. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Texas.

Mr. JONES. If the gentleman's amendment is worded properly I am not so sure but what I would be agreeable to the proposed change.

Mr. HOFFMAN. I am sure the gentleman would as an individual.

Mr. JONES. To what courts does the gentleman refer?

Mr. HOFFMAN. Any court of record in the State.

Mr. JONES. It rather occurs to me on first thought that the distance might be greater in the case of Federal courts. If it is a court of record or a State court, that might be all right. However, we would have to strike out section 387.

Mr. HOFFMAN. Yes. I have an amendment covering that also. There is a similar provision in the Federal Employers' Liability Act, which permits an action to be brought in the State court. I hope this amendment will be adopted. [Applause.]

Mr. JONES. Mr. Chairman, I think we can agree on this and I ask unanimous consent that the amendment may be read again.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk again read the Hoffman amendment.

Mr. JONES. I think the amendment is all right.

The CHAIRMAN. Does the gentleman from Texas [Mr. JONES] desire recognition on the amendment?

Mr. JONES. No.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was agreed to.

Mr. JONES. Mr. Chairman, I offer an amendment now that the first sentence of section 387, on page 80, be eliminated.

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 80, beginning in line 12, strike out all of lines 12, 13, 14, and 15, and down to the word "Part" in line 16.

The CHAIRMAN. Does the gentleman desire recognition?

Mr. JONES. No.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. JONES].

The amendment was agreed to.

Mr. JONES. Mr. Chairman, I offer a further amendment. On page 80, line 11, I offer an amendment to strike out the words "exclusive jurisdiction" and insert in lieu thereof the words "stay of proceedings."

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 80, line 11, strike out "exclusive jurisdiction" and insert in lieu thereof "stay of proceedings."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. JONES].

The amendment was agreed to.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Page 80, at the bottom of the page, add a new section as follows:

"Sec. 389. That on and after 6 months from the passage of this act, the importation of dairy products into the United States is prohibited unless such products have been produced from cattle which are free from bovine tuberculosis."

"Sec. 390. The Secretary of Agriculture shall provide for the issuance of certificates under which the importation into the United States of dairy products which are produced, processed, or manufactured from cattle accredited free from bovine tuberculosis shall be permitted. Where it is not practical for the employees of the United States to inspect herds of cattle in foreign countries from which such dairy products are produced, the Secretary of Agriculture may issue certificates when the official diplomatic representative of any foreign country submits satisfactory proof to the Secretary that the dairy products to be shipped into the United States are produced from cattle which are free from bovine tuberculosis, and then only from the foreign countries where the system of accrediting and testing cattle for bovine tuberculosis is equivalent to the officially recognized systems used in the United States."

Mr. JONES. Mr. Chairman, I make a point of order against the amendment in that it is not germane to the paragraph, the section, or the bill itself. This bill does not cover importations. The question involved here is a rather intricate one, and I favor the general proposition.

However, I do not believe, in view of the different departments which are involved in any sort of legislation which reaches out into this field, the matter could well be handled on the floor in this type of bill. This bill does not affect imports or the import question; neither does this part, nor this section, nor this paragraph. While I am in sympathy with the purpose of the gentleman's amendment, I believe most of what he seeks to accomplish is taken care of now. There is, perhaps, some need for legislation along this line, and I would favor its general purpose, but I do not believe the amendment is germane to this bill.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. ANDRESEN of Minnesota. Yes, Mr. Chairman.

I wish to call the Chairman's attention to the fact the purpose of the bill (H. R. 8505), and the entire bill, section for section and title for title, is for the general welfare of agriculture; that the philosophy of the bill is based upon the commerce clause of the Constitution; and that this legislation seeks to regulate the distribution of agricultural products in interstate and foreign commerce.

The bill goes further and attempts to assist in the marketing of such agricultural commodities for domestic consumption and for export, making inclusive the constitutional provision dealing with interstate and foreign commerce. This bill does not specifically deal with only five basic commodities, but all farm commodities, in order to bring about parity income for agriculture. We are writing here permanent legislation for agriculture. Therefore, if all branches of agriculture are to be included, as we have included cotton, wheat, corn, rice, and tobacco, surely it is germane to include the dairy industry, which is the largest industry in agriculture and which needs a certain type of consideration in order to secure the maximum benefit.

I submit, Mr. Chairman, the amendment is germane and should receive consideration by the Committee.

Mr. TOBEY. Mr. Chairman, I should like to be heard for about 3 minutes on the point of order.

The CHAIRMAN. The Chair will be pleased to hear the gentleman on the point of order.

Mr. TOBEY. Mr. Chairman, I concur in the opinion of the gentleman on my right, my distinguished colleague, the gentleman from Minnesota [Mr. ANDRESEN]. I believe this amendment is so much in the public interest as a matter of common justice and in the interest of sanitation and the health of the people of this country that it can well be construed liberally.

I call the attention of the Chair and of the chairman of the Committee on Agriculture to the declaration of policy on the second page of this bill, to the effect that the policy is to preserve, maintain, and rebuild the farm resources in the national public interest. "Farm resources" covers not only the commodities raised on the farm, but the importations which compete with such commodities and affect the farmer's flow of business. These products come from

foreign countries, where they have no sanitary inspection of import grades to compete with the butter, cheese, and dairy products produced by our farmers, who are subject to regulations and milk inspections in the interest of public health. It is a great injustice. This condition is against the public interest and against the preservation of farm resources in the public interest.

I hope the Chair will not rule out of order the amendment of the gentleman from Minnesota. I recall distinctly that I have been on my feet speaking on previous controversial points of order when amendments far less germane than this have been offered and sustained by the Chair. This is a case involving not only the public interest, but the sanitation, health, and lives of the children and the men and women of this country.

I ask the Chair to overrule the point of order.

The CHAIRMAN (Mr. COOPER). The Chair is ready to rule.

The gentleman from Minnesota [Mr. ANDRESEN] offers an amendment to the pending bill which is somewhat lengthy and has been reported. To this amendment the gentleman from Texas [Mr. JONES] makes the point of order that it is not germane to the bill under consideration, or the part of the bill to which it is offered, or the section under immediate consideration.

The purpose of the pending bill is to regulate the marketing of domestically produced farm products. The amendment offered by the gentleman from Minnesota would seek to control importations of farm products, and would go further and seek to control the conditions under which such farm products may have been produced in a foreign country.

The Chair believes the amendment is not germane, and, therefore, sustains the point of order.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDRESEN of Minnesota: On page 80, at the end of the page, add a new section, as follows:

"SEC. 3. The Secretary of State is hereby directed to discontinue the practice of binding on the free list or binding at the present rate of excise taxes, agricultural commodities imported into the United States. The Secretary of State is further authorized to advise the Governments of Brazil and the Netherlands that, at the expiration date of the respective trade agreements, the concessions granted by the United States with reference to binding babassu oil and starches on the free list and freezing the excise tax on palm oil at 3 cents per pound will not be continued."

Mr. JONES. Mr. Chairman, I make the point of order that the amendment is manifestly not germane to the bill, the section, or the paragraph under consideration.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. ANDRESEN of Minnesota. Mr. Chairman, I can only reiterate the argument I have made on the other question. If the Chair has made up his mind to rule in a certain way, it is not necessary for me to pursue that argument.

The CHAIRMAN (Mr. COOPER). For the reasons stated by the Chair in the previous ruling and the additional reason that the subject matter embraced in this amendment would come within the jurisdiction of the Committee on Ways and Means of the House and not the Committee on Agriculture, the Chair sustains the point of order.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I offer a further amendment:

The Clerk read as follows:

Amendment offered by Mr. ANDRESEN of Minnesota: On page 80, at the end of section 388, add a new section, as follows:

"The importation of agricultural products into the United States is hereby prohibited where the landed cost of such products plus the tariff duties are lower than the domestic cost of production."

Mr. JONES. Mr. Chairman, I make the same point of order against the amendment and for the same reasons.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I wish to submit to the Chair that the three amendments which have just been offered represent the program of legislation requested by the dairy farmers of this country. The Chair has ruled both amendments out of order and I anticipate a

similar ruling will be made in connection with the pending amendment.

It is my hope that the respective committees, particularly the Ways and Means Committee, will take these requests of the dairy industry under consideration so that we may have legislation which will protect the American farmers of this country in their home market. This is all the dairy farmers ask—not a subsidy or any funds out of the United States Treasury.

This is all I have to say, Mr. Chairman, at this time.

The CHAIRMAN. For the reasons previously stated by the Chair in the two rulings recently made, the Chair sustains the point of order.

Mr. SNELL. Mr. Chairman, I move to strike out the last word to get some information from the chairman of the committee.

The amendments just offered by my friend from Minnesota suggest a matter to which I have given considerable thought, although I do not know entirely how to solve the problem.

As I understand the present law, about 30 percent of the receipts of the customhouse is turned over to the Department of Agriculture to assist that Department in the export of farm products. Is not that correct?

Mr. JONES. It is a combination purpose—wider distribution at home and increased exports.

Mr. SNELL. And the amount available for that purpose is about \$125,000,000 a year?

Mr. JONES. The amount ranges from \$100,000,000 to \$125,000,000. This fund may also be used for making some additional payments, but the purposes stated are the primary purposes indicated in the original section.

Mr. SNELL. On the whole, how does that policy work out?

Mr. JONES. The part of the fund that has been used for the purpose which I think the Congress intended has worked out in the best possible fashion.

Mr. SNELL. Can the gentleman tell, in a general way, how the money is distributed at the present time?

Mr. JONES. The amount that is used for these purposes has been distributed all over the country. It has been used, perhaps, more on the west coast in the fruit and vegetable country and in the northwestern wheat areas than any other section. It has also been used for dairy products and, perhaps, more for dairy products than any other purpose. It has also been used for wheat and for peanuts and various other products. I have here a list which gives the various sums that were used. However, the first year a comparatively small percentage of the fund was used and most of it was turned back to the Treasury. This year only about \$23,000,000 was used. Two years ago, since they were not using it for these purposes, \$42,000,000 was diverted to the cotton loans for absorbing some differentials in connection with those loans. This last summer the Congress voted to commit \$65,000,000 of the past year's unused fund and \$65,000,000 of the current unused fund for cotton.

I wish to state to the gentleman that I am very pleased he has brought up this question, because I am tremendously interested in it. The committee unanimously adopted this provision for this year, and I hope they will use this fund, or the major portion of it, for a purpose which I think is very fine.

Mr. SNELL. And for the purpose Congress intended it should be used?

Mr. JONES. Yes; and I am going to offer another amendment, which I have not taken up with the committee and which I shall offer as my own amendment, which will have a direct bearing on this question.

We have written into the bill that—

It shall be the duty of the Secretary to use available funds to stimulate and widen the use of farm commodities in the United States and to increase in every practical way the flow of such commodities and the products thereof into the markets of the world.

I propose to offer an amendment for the consideration of the House on my own responsibility that after June 30 of the coming year not less than 50 percent of the fund made

available under section 32 shall be used for increasing exports and domestic distribution.

I expect to offer this amendment for the consideration of the House, because I am very much of the opinion that wherever it is possible, it is much better to dispose of farm commodities both at home and abroad than to refrain from producing them, because I would rather take a little loss in this way and thus get an advantage than to refrain from producing. [Applause.]

Mr. SNELL. Mr. Chairman, I am in entire accord with the statement made by the chairman of the committee with respect to the method of attacking this farm problem. It seems to me this is the most sensible thing we have ever done and is something that should be followed up. I believe this would produce more favorable results in the long run than any that may be expected to come from the measure before the House at the present time.

As I have understood the complaints of the farming population in general, it has always been they have not had the benefits of tariff protection.

In order to clear up and help this problem, as far as I am personally concerned, I would go even further than the gentleman from Texas [Mr. JONES] proposes. I would give every single dollar taken in from the customs to help take care of the surplus products of the farm. [Applause.] I would say to every American farmer, use all of the energy and thrift and knowledge that you have and produce farm products. I would protect the products that are used at home. I would protect the American market for the American farmer, but if I had my way I would go even further than the chairman suggests and I would give this proposition of taking care of the excess farm products the entire benefit of all of the money that comes from the customs. If you do that nobody will be hurt, everybody in the country will have a fair shake, and we would be doing what is just and right to all.

Mr. LUCAS. Mr. Chairman, will the gentleman yield?

Mr. SNELL. Yes.

Mr. LUCAS. Would the gentleman under that sort of an arrangement agree to continue to permit the Secretary of Agriculture to use his discretion as to how that money should be expended and allocated?

Mr. SNELL. I have not gone quite so far as that. I would make Congress use its own discretion as far as possible. I am a believer in Congress and I never voted to give all those powers to the Secretary of Agriculture.

Mr. LUCAS. Does not the gentleman agree with me that some yardstick or some kind of measurement should be laid down by the Congress of the United States?

Mr. SNELL. I want all of the yardsticks laid down by the Congress and not by the Secretary of Agriculture. [Applause.]

Mr. HOFFMAN. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Page 79, line 7, section 386, after the word "shall", insert the word "not"; and in line 9, strike out the clause "if supported by evidence" and the comma preceding clause, and after the word "shall", insert the word "not"; and also in line 9, after the word "conclusive", change the period to a comma and insert "and the court shall consider and determine the case de novo"; line 17, strike out the period following the word "proper", insert a comma and the words "or the court may upon petition, in its discretion, order a hearing with or without the taking of additional testimony before the court"; line 22, strike out the word "shall" and insert the word "may".

Mr. JONES. Mr. Chairman, I ask unanimous consent that debate upon this amendment and all amendments thereto close in 8 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, this amendment has to do with the means by which this law will be enforced. We are all aware through the newspapers of the increasing lack of confidence in and the wave of criticism of the

N. L. R. B. This amendment is to avoid, if we can, in the operation of this law, the difficulty that that Board has gotten into during the last few months.

The local committee fixes the quota. The reviewing committee passes on that quota if review is had. Then if the farmer is not satisfied under the act as it now stands he may appeal, but on that appeal what happens? The court is limited to a review, not of the facts but of the law; the court must take the facts as found. If the Board gives the farmer so many acres, or fixes his quota at so many bushels, that conclusion of the Board is absolutely final. There is no court review of the facts under this bill. That is wrong, because if you leave it the way it stands, it will enable the local and reviewing committee to determine what each farmer in the district or in the county may market, and also what he may produce or grow.

Mr. SIROVICH. Then why should you have an appeal?

Mr. HOFFMAN. I do not know. It is of no practical benefit as the bill stands. My amendment provides that on appeal the court may review the question of fact and it may also, if it desires, take additional testimony. It is just like a chancery appeal.

When you go up in chancery the court reviews the matter just as if the case were before it in the first instance. That is all that I ask by this amendment, and as the other amendment was accepted by the chairman of the committee a while ago, the farmer who has the complaint, who thinks that he has been discriminated against, may, under the amended section, if this amendment prevails, appeal to the local court, the court at his home, and then if this amendment should be adopted that court may hear additional testimony. It may in any event pass on the question of fact as to whether a man had certain acres under cultivation or did not the year before. It just retains our old system of giving a man his day in court, and it is said that even a dog is entitled to that.

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. MARTIN of Colorado. Does the gentleman's amendment also provide that the board of review may review the facts, or just the court?

Mr. HOFFMAN. If the court desires, it can send the matter back to the board of review, or if the court prefers to hear the testimony, it can be heard in that way.

Mr. MARTIN of Colorado. Can the board of review now review the facts found by the local committee?

Mr. HOFFMAN. Surely. The action of the local board is reviewed by the committee of review. But that local committee, composed of three farmers, is appointed by the Secretary. It is so provided on pages 77 and 78. You know a committee so appointed will be a political committee. My amendment to make these committees nonpartisan, offered the other day, was defeated. We have had enough of partisan committees. The action of the committee can be reviewed by the court if this amendment is adopted.

Mr. MARTIN of Colorado. But not the facts?

Mr. HOFFMAN. No.

Under sections 385, 386, and 387 of the bill as proposed, a farmer is deprived of the right guaranteed to him under the Constitution, heretofore always recognized by everyone as being essential to the protection of the liberty of the individual to a fair and impartial trial by a jury of his peers.

The act as it now stands makes it possible for the Secretary of Agriculture, acting through a committee, to tell a farmer how much of certain produce of his farm he may sell.

This administration for the first time in the history of our country has destroyed the independence of the man who, by his toil, produces the things which are necessary to the existence of all.

The Constitution guarantees the right to life, liberty, and the pursuit of happiness. Legislation of this character destroys the liberty of the owner of land. If he would attain happiness by plowing, the sowing of seed, the cultivation of

crops, the harvesting, and the marketing of those crops, he may not do so unless his conduct in the operation of his farm meets with the approval of the Secretary of Agriculture.

The right to life is still left to him provided the Secretary makes no mistake in prejudging the rainfall, the weather, the amount of destruction caused by disease or insects, and acts with a reasonable degree of intelligence.

If the Secretary of Agriculture, over a period of years, deliberately or mistakingly fixes a quota that is too low, and drought or other natural causes still further decrease it, it may well be that hardship, and perhaps starvation, will visit the land.

At all events, this bill makes the heretofore independent farmer the creature of the Department of Agriculture.

From the determination of the marketing quota fixed by the local committee, the farmer has the right to appeal to a review committee, but here he is denied the right to a determination of the issues directly affecting his happiness, his liberty, and his economic life; to a trial by a jury of his peers.

If dissatisfied with the findings of the review committee, under the act, he may file a bill in equity in the United States district court. This provision for review is inadequate for the reason that the expense of such a proceeding may well be prohibitive.

In my own State of Michigan a farmer may be required, if he seeks review, to travel, with his witnesses, as far as 200 miles. If he desires his case adequately presented, he might well be required to employ a lawyer residing in the locality where the farmer lives and another in the city where the court is held.

Under the bill, as drawn, the reviewing court is bound by the findings of fact, as made by the reviewing committee. Such a review by the court is no review at all, for we are all aware of the methods employed in the hearings held under the authority of another Government agency, the N. L. R. B.

This bill now before us places the marketing of farm products under the control of another board or committee, for it makes the reviewing committee, by depriving the court of the right to review the facts, the final arbiter over the destiny of the farmer.

The granting to a committee, which is under the domination of the Secretary of Agriculture, of the absolute power to determine whether a farmer is or is not entitled to a certain marketing quota; is or is not entitled to market a certain quantity of the products of his farm, is so destructive of the liberty of the citizens, so contrary to the principles of a free government, that it would not even be dreamed of, except by those seeking to establish themselves as dictators.

Without this amendment, the farmer is not only deprived of his right to a trial by jury—a right which heretofore has always been recognized, if a person charged with crime sought to exercise it—but he is denied the right to the review by a court of the evidence offered against him.

This bill would destroy that right and establish a system of peasantry under the direction of the Secretary of Agriculture.

Mr. Chairman, I yield back the balance of my time.

Mr. JONES. Mr. Chairman, I rise in opposition to the amendment.

I think it would be unfortunate to adopt this amendment. The committee put in a great deal of time on this. We first had a number of steps in the procedure, trying, from a legal point of view, to protect all the rights of the producer. We finally got into a maze, or it looked as if we would, so we simplified it. The local committee, selected by the farmers themselves, first makes the allotment. Then we provide for a review, not by a State board but by the county board, to which the farmer can go and have his hearing. That board is composed of his neighbors. So he has two independent groups within the county. Then he may appeal directly to the court.

The effect of this amendment would make a trial de novo in that court. So if the farmer went to court he would have

to go through another trial and present all of his facts. The way it is now, the facts found by the reviewing committee are the facts, and the court only passes on the law, which I think is proper.

Mr. HOFFMAN. Will the gentleman yield?

Mr. JONES. I yield.

Mr. HOFFMAN. Under the section as it stands the findings of the reviewing board as to the conditions actually existing on the man's farm are conclusive, are they not?

Mr. JONES. Yes; and that is true of practically all trial cases, as the gentleman knows. In practically all cases the findings of fact of a jury or the trial court are conclusive, if supported by the evidence.

Mr. HOFFMAN. Oh, no. The court can always say that the judgment is contrary to the clear weight of the evidence.

Mr. JONES. No. That is not correct in our section of the country.

Mr. HOFFMAN. It is so in the Federal courts.

Mr. JONES. If the appellate court can say there is no evidence to support it, or no evidence, if true, that would support it, they can reverse it for want of facts, but if there is credible evidence to support it, that must be binding.

Mr. HOFFMAN. Will the gentleman yield further?

Mr. JONES. Yes; I yield.

Mr. HOFFMAN. For instance, out at Weirton there are 7,000 men who want to work. Nevertheless, suppose the National Labor Relations Board finds the other fellows who do not want to, actually 1,000 in number, are in the majority, what can a court do about it if the Board's findings of facts cannot be reviewed?

Mr. JONES. Oh, the court and the board are entirely different things. This is a reviewing committee composed of neighbors of the farmer. He goes directly from that to the court, and it is tried in the ordinary way of cases on appeal.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. LEAVY. This board of review only comes into existence if the farmer is dissatisfied with his quota; is that not the fact?

Mr. JONES. Yes; that is true.

Mr. LEAVY. And the Secretary appoints the board of review?

Mr. JONES. No. As I remember it, the Secretary appoints that board on the recommendation of the farmers.

Mr. LEAVY. But it is a separate board?

Mr. JONES. Yes. He has got two opportunities within his county, among his neighbors, which, from a practical standpoint, will work out best.

Mr. LEAVY. But this board passes upon it, and if the farmer is aggrieved, he then makes the board a party defendant and goes into court for the first time and submits his controversy to the jurisdiction of a court of general jurisdiction.

Mr. JONES. No; the reviewing committee first, and then to the court of general jurisdiction.

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired.

Mr. LEAVY. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute in order to ask the chairman a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEAVY. The court has nothing to do with the issue raised at all by the aggrieved farmer, except to adopt the findings of fact made by this local board, and is denied the right to exercise jurisdiction of the subject matter; is that not true?

Mr. JONES. Yes. The court passes on questions of law. You would not want the farmer to have to go up there and present all his facts again. It is a reviewing court; that is all. It takes the record and sees whether the local committee has followed the law.

Mr. LEAVY. Is the gentleman satisfied that that is constitutional?

Mr. JONES. Oh, I certainly am. We can create boards and clothe them with jurisdiction. Now, we had different intermediate steps between the local committee and the trial court. When we went into it we found that it would be a great burden on the farmer to go through all of these processes. We have tried to simplify it. Certainly we can clothe those people with this authority.

Mr. LEAVY. I grant that; but this board is an administrative board, not a judicial tribunal.

Mr. JONES. That depends on what you make it. You might say that of any new court we created.

Mr. HOFFMAN. Will the gentleman yield for a correction?

Mr. JONES. I yield.

Mr. HOFFMAN. The gentleman said this committee was appointed from the local people. The Secretary of Agriculture appoints this committee.

Mr. JONES. As I understand, the local committee is appointed on recommendation.

Mr. HOFFMAN. But the reviewing committee is appointed by the Secretary of Agriculture.

Mr. JONES. It is a separate committee.

Mr. HOFFMAN. It is so provided on page 77 that it be appointed by the Secretary.

Mr. JONES. Yes. I thank the gentleman for the correction.

The CHAIRMAN. The time of the gentleman has again expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 44, noes 58.

So the amendment was rejected.

Mr. WILCOX. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Wilcox: On page 80, at the bottom of the page insert a new section as follows:

"Section 22 (a) of the Agricultural Adjustment Act, as amended, by section 31 of the act entitled 'An act to amend the Agricultural Adjustment Act, and for other purposes,' approved August 24, 1935, is amended to read as follows:

"IMPORTS

"Sec. 22. (a) Whenever the President has reason to believe that any one or more articles are being imported into the United States under such conditions and in sufficient quantities as to render or tend to render ineffective or materially interfere with any program or operation undertaken, or to reduce substantially the amount of any product processed in the United States from any commodity subject to and with respect to which an adjustment program is in operation, under this title, or that the importation of any product of agriculture or horticulture, including vegetables and citrus fruits, tends to reduce the market price of such product below the average market price thereof over the immediately preceding 5-year period, he shall cause an immediate investigation to be made by the United States Tariff Commission, which shall give precedence to investigations under this section to determine such facts. Such investigation shall be made after due notice and opportunity for hearing to interested parties and shall be conducted subject to such regulations as the President shall specify."

Mr. JONES. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane to the section, to the paragraph, or to the bill.

The CHAIRMAN. Does the gentleman from Florida desire to be heard on the point of order?

Mr. WILCOX. I desire to be heard on the point of order, Mr. Chairman.

The CHAIRMAN. The Chair will be pleased to hear the gentleman on the point of order.

Mr. WILCOX. Mr. Chairman, this amendment is clearly distinguishable from the amendments offered by the gentleman from Minnesota upon which the Chair ruled.

In explanation of this amendment I shall state what it seeks to accomplish. I propose to amend the original Agricultural Adjustment Act as amended in 1935. Section 22 (a) of that act provides that whenever the President shall have reason to believe that the importation of any article tends to interfere with any of the programs under that act he shall have the right to cause an investigation to be made

by the Tariff Commission. The succeeding paragraph or section of that act then provides that if the investigation discloses that these importations do tend to interfere with the programs under the act, the President shall issue a proclamation limiting the importation of those articles which are interfering with the program. That is the act as it exists.

I propose by this amendment simply to add one additional idea: That if the importations tend to reduce the price of agricultural products below the average price for 5 years immediately preceding that the same procedure shall be followed; that is, there shall be an investigation. If the investigation develops that the importations do cause a lowering of the price, that the same proclamation provided in the succeeding paragraphs shall be followed. The new words which I propose to add into section 22 (a) by this amendment are the following:

Or that the importation of any product of agriculture or horticulture, including vegetables and citrus fruits, tends to reduce the market price of such product below the average market price thereof over the immediately preceding 5-year period.

Mr. Chairman, this is quite different from the amendment offered by the gentleman from Minnesota, and the ruling of the Chair on those amendments is not applicable to the pending amendment for the reason that the amendments offered by the gentleman from Minnesota dealt with tariffs and dealt with health regulations. They undertook to prohibit the importation of certain articles, they undertook to prescribe health regulations for certain other articles, and they undertook to deal with the tariff structure on still other articles.

The pending amendment is clearly in accordance with the program of this bill. The declared purpose of the bill is to assure to agriculture a parity price. As set forth on page 2 of the original draft of the act the declared purpose of the bill is, "to assist farmers in accomplishing these purposes by securing as far as is practicable parity income and prices," and so forth. The bill is broad enough, as has heretofore been pointed out, in some of its aspects to cover all agriculture. Quotas are allotted to five crops: Corn, wheat, cotton, tobacco, and rice; but the loan features of the bill and other features of the bill cover all agriculture without limitation to these five products.

If it be the declared purpose of this piece of legislation to assure to the producer of agricultural products a parity income, if it be the declared purpose to assist the farmer in securing a living price for his product, then this amendment is in strict accordance with the declared purpose of the act. It probably enlarges in just one respect one of the means of accomplishing that purpose. It does not interfere with the tariff structure, it does not undertake to prohibit importations, it does not in any manner attempt to encroach upon or to interfere with any other program of the bill. It simply provides that as an additional means of protecting and preserving the parity income, as an additional means of securing for the farmer a reasonable and a living price for his products, that if imports shall come into the country in such quantities as to depress that price, thereby destroying the purposes of this bill, that these imports shall be limited.

Not only does it not interfere with the program set forth in the bill, Mr. Chairman, but it is absolutely essential to the success of the program. As to some of the major items dealt with in the bill, you can prescribe quotas upon American farmers, you can limit the amount they can produce, you can limit the amount they may sell in interstate commerce; but if the same products are dumped into this country from another country in such quantities as to destroy the price, then that action will have destroyed the very purposes for which this act was passed.

What good will any farm program be if other countries are to be permitted to glut our market and force the price down? How can you assure a fair price to our farmers when the bars are let down for foreign competition in our own market?

The bill is broad enough, therefore, Mr. Chairman, to cover the subject of the amendment in the first instance. The amendment is in strict accordance with the declared purposes of the bill in the second instance, and is simply a safeguard for making the guaranties of the bill effective. I insist, therefore, Mr. Chairman, that the amendment is germane. It is germane to the purposes of the bill and it is necessary to the successful operation of it.

May I say, Mr. Chairman, that I appreciate the long and patient manner in which the committee has dealt with the House. As the gentleman from North Carolina [Mr. WARREN] pointed out a few moments ago, we have had 9 days of debate on this bill, which is a testimonial to the fairness of the committee which has been in charge of it. I regret that it is necessary in the opinion of the chairman that a point of order be made to this amendment. I hope it will not be insisted upon, because, as I pointed out to the House a few days ago, this amendment is of tremendous and vital importance to the farmers of two-thirds of my State. I hope, Mr. Chairman, that the point of order may be overruled, that the amendment may be brought before the House and the Members allowed to vote upon the merits of this amendment.

I have, on numerous occasions, pointed out to you that my people are to a large extent at the mercy of Cuba and Cuban producers. Tariffs have been reduced on Cuban products and they are being dumped into our markets in competition with ours. And Cuba, in spite of this fact, always finds a way of protecting its people. I am told that they have already or very shortly will limit the amount of crate material which may be shipped in from the United States. This is just another discrimination against Florida and Florida industry.

This amendment will give my people the protection which they must have if they are to stay in the fruit and vegetable business and I hope it may be voted upon on its merits.

The CHAIRMAN. The Chair would be pleased to hear the gentleman from Texas on the point of order.

Mr. JONES. Mr. Chairman, the provisions to which the gentleman refers were in the old A. A. A. Act, which had processing taxes of 4.2 cents on cotton and 28 cents a bushel on wheat. This made necessary provisions in the bill which in some instances put compensating taxes on imported articles.

This particular provision, section 32, was not a part of the original A. A. A. Act. It was a separate matter altogether. That was put into the A. A. A. amendments not as a part of the act but as a separate and independent proposition which stood on its own and was not woven into the other part of the bill. The old A. A. A. Act as such went out. Section 32, which was an entirely different provision, remained. It only has to do with the handling of American-made products. It does not appropriate customs receipts, but does automatically provide a sum equivalent to 30 percent of the customs receipts. In other words, the customs receipts go into the Treasury and we then appropriate a sum equivalent to 30 percent out of the Treasury. This fund is then earmarked for the exportation of American farm products.

We start off in this bill with the conservation of national resources. Then we undertake to have an orderly marketing of American-made products. We say they shall be assisted by loans, by storage, and by using funds for export. There is not a line in the bill anywhere that has anything to do with importations. Section 32, as all of the members of the committee understand, was not a part of the A. A. A. Act. We attached certain amendments there like we attach amendments to other bills.

Mr. WILCOX. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from Florida.

Mr. WILCOX. Section 22 (a), as a matter of fact, does provide that if imports shall come into this country in such quantities as to interfere with the program of the A. A. A., a certain action shall be taken.

Mr. JONES. No. That is an entirely different section.

Mr. WILCOX. It is section 22 (a) which I seek by this amendment to amend.

Mr. JONES. Section 22 (a) is not in this bill.

Mr. WILCOX. No; but I offer this as an amendment.

Mr. JONES. I misunderstood the gentleman. I thought the gentleman was referring to section 32. Section 22 (a) is not in this bill, and the A. A. A. is not in this bill.

Mr. WILCOX. Except as you seek to amend the A. A. A. Act.

Mr. JONES. No; we do not attempt to amend the A. A. A. Act.

Mr. SIROVICH. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from New York.

Mr. SIROVICH. Is there any provision in this bill at the present time that will protect the American farmer against the dumping of foreign agricultural products that would depreciate the very prices we are trying to protect?

Mr. JONES. There is nothing in this bill, but there is provision in the former act, to which the gentleman refers, which gives the Secretary of Agriculture authority, but that is not section 32. That is section 22.

Mr. WILCOX. Section 22 (a) is the one I seek to amend.

Mr. JONES. But that is not before us.

Mr. WILCOX. It is in this amendment I am offering.

Mr. JONES. I know, but I am making a point of order against the amendment.

Mr. Chairman, it is just as logical to argue, if this amendment is adopted, that we could adopt amendments covering the whole set of tariff schedules. There is not a tariff schedule within the category that would not come within the range of the gentleman's argument.

Mr. WILCOX. I do not want to appear to be contentious with the gentleman, but I think he is entirely mistaken in his last statement. This proposed amendment does not interfere with the tariff. It does not interfere in the slightest degree with any tariff schedule. Section 22 (a) of the A. A. A. as amended in 1935 provides where imports interfere with or tend to interfere with programs under that act, they shall be automatically limited or shall be limited by proper proclamation of the President.

I simply seek by my amendment to go one step further and say that if imports of agricultural products tend to drive the price down in this country they shall be limited in the manner pointed out in section 22 of the A. A. A. as amended in 1935.

Mr. JONES. The gentleman will recognize that quotas are stronger than tariffs. Certainly if you can put quota provisions in you can put tariffs in, because they are less drastic and have the same purpose. If we could put a tariff in here, we could cover the whole field, because they all, directly or indirectly, affect the market for the commodity. We would be getting into a limitless field.

Mr. WILCOX. My amendment simply seeks to limit imports where they have the effect of bringing down the price. As I have heretofore pointed out, it will be less than useless to limit production in the United States so as to hold up the price of farm commodities, if we are going to permit the same products to be shipped in from foreign countries to the extent of driving the price back down again.

Of course, the producers of fruits, vegetables, potatoes, celery, and avocados are not given any benefits under this bill, except in the way of encouraging new markets. This bill neither benefits nor injures them. But the trade agreement with Cuba does bring the products of that country into competition with the same products in this country. Now, I claim that it just is not fair to continue to allow Cuban and Mexican products to be dumped into our market and drive the price down to the point where my people cannot get back the cost of production.

The CHAIRMAN (Mr. COOPER). The Chair is ready to rule.

The Chair regrets that he is not prepared to follow the distinction drawn by the able argument presented by the learned gentleman from Florida [Mr. WILCOX] in relation to the amendment offered by the gentleman from Minnesota [Mr. ANDRESEN] and the ruling made thereon.

The gentleman from Florida offers an amendment which is somewhat lengthy and has been read by the Clerk seeking

to amend the pending bill with reference to certain imports of farm products. The pending bill has for its purpose the regulation of the marketing of domestically produced farm products. The amendment proposed seeks to regulate importations, or at least deals with the importation of certain farm products.

The Chair feels the amendment offered by the gentleman from Florida [Mr. Wilcox] is not germane and, therefore, sustains the point of order of the gentleman from Texas [Mr. Jones].

Mr. HOBBS. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: Page 77, line 15, after "382" and before the section itself, insert "all acreage allotments and" and, further, after the last word, line 17, and before the first word in line 18, page 77, insert: "and kept freely."

Mr. JONES. Mr. Chairman, I see no objection to the amendment. I believe it is desirable.

The amendment was agreed to.

Mr. JONES. Mr. Chairman, I ask unanimous consent that title IV, part 1, may be read by title and considered in its entirety.

Mr. CASE of South Dakota. Mr. Chairman, reserving the right to object, title IV has been scarcely mentioned in the debate, although the chairman the other day referred to a portion of it as containing some of the most important provisions of the bill, with which statement I agree. This title is very short, and I believe the membership should hear it read. I must therefore object to reading it by title.

Mr. JONES. Mr. Chairman, I ask unanimous consent that part 1 of title IV may be read and considered in its entirety.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read as follows:

TITLE IV—MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

PART I—MISCELLANEOUS

ADJUSTMENTS IN FREIGHT RATES FOR FARM PRODUCTS

SECTION 401. (a) The Secretary is authorized to make complaint to the Interstate Commerce Commission with respect to rates, charges, tariffs, and practice relating to the transportation of any farm products, and to prosecute the same. Before proceeding to hear and dispose of any complaint filed by any person other than the Secretary, involving the transportation of farm products, the Interstate Commerce Commission shall cause the Secretary to be notified of the proceeding, and, upon application by the Secretary, shall permit the Secretary to appear and be heard. For the purposes of this section, the Interstate Commerce Commission is authorized to avail itself of the cooperation, records, services, and facilities of the Department of Agriculture.

(b) The Secretary is authorized to cooperate with and assist cooperative associations of farmers making complaint to the Interstate Commerce Commission with respect to rates, charges, tariffs, and practices relating to the transportation of farm products.

NEW USES AND NEW MARKETS FOR FARM COMMODITIES

SEC. 402. (a) Of the sums made available in pursuance of section 421 (a), not to exceed \$10,000,000 for each fiscal year is authorized to be utilized by the Secretary for the establishment, equipment, maintenance, and administrative expenses of laboratories and other research facilities for the research into and development of new, scientific, chemical, and technical uses and new and extended markets and outlets for farm commodities and products thereof. Such sum shall be available for such purposes, in such amounts, and for such work, carried on by the Department alone or by States and Territories and their agencies and subdivisions in cooperation with the Department, as the Secretary shall determine. No part of the sums available under this subsection shall be expended in any State or Territory in cooperation with any such State or Territory or its agencies or subdivisions unless the State, Territory, agency, or subdivision has hereafter appropriated not less than \$250,000 for the establishment of physical facilities suitable for use in carrying out this subsection.

(b) It shall be the duty of the Secretary to use available funds to stimulate and widen the use of farm commodities in the United States and to increase in every practical way the flow of such commodities and the products thereof into the markets of the world.

SEC. 403. Section 32, as amended, of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, is amended by striking out: "Provided further, That no part of the funds appropriated by this section shall be used for the payment of benefits in connection with the exportation of unmanufactured cotton."

CONTINUATION OF FEDERAL SURPLUS COMMODITIES CORPORATION

SEC. 404. The act entitled "An act to extend the time for purchase and distribution of surplus agricultural commodities for relief purposes and to continue the Federal Surplus Commodities Corporation", approved June 28, 1937 (Public, No. 165, 75th Cong.), is amended by striking out "continued, until June 30, 1939," and inserting in lieu thereof "continued, without limitation as to time."

COTTON PRICE ADJUSTMENT PAYMENTS

SEC. 405. For the purposes of the provisions (relating to cotton price adjustment payments with respect to the 1937 cotton crop) of the Third Deficiency Appropriation Act, fiscal year 1937, a producer shall be deemed to have complied with the provisions of the 1938 agricultural adjustment program formulated under the legislation contemplated by Senate Joint Resolution No. 207, Seventy-fifth Congress, if such producer does not exceed the cotton farm acreage allotment for 1938, apportioned to his farm under the Soil Conservation and Domestic Allotment Act, as amended (including the amendments made by this act).

UTILIZATION OF LOCAL AGENCIES

SEC. 406. The provisions of section 8 (b) and section 11 of the Soil Conservation and Domestic Allotment Act, as amended, relating to the utilization of local committees, the extension service, and other approved agencies, and to recognition and encouragement of cooperative associations, shall apply in the administration of this act; and the Secretary shall, for such purposes, utilize the same local committees as are utilized under the Soil Conservation and Domestic Allotment Act, as amended.

PERSONNEL

SEC. 407. The Secretary is authorized and directed to provide for the execution by the Agricultural Adjustment Administration of such of the powers conferred upon him by this act as he deems may be appropriately exercised by such Administration; and for such purposes the provisions of law applicable to appointment and compensation of persons employed by the Agricultural Adjustment Administration shall apply.

SEPARABILITY

SEC. 408. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the act and the application of such provision to other persons or circumstances, and the provisions of the Soil Conservation and Domestic Allotment Act, as amended, shall not be affected thereby.

The CHAIRMAN (Mr. WARREN). Are there any amendments to section 401?

Mr. MAPES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I make this motion for the purpose of calling attention for a moment to the section which authorizes the Secretary of Agriculture to initiate and prosecute rate cases involving the shipment of farm products before the Interstate Commerce Commission. I realize that it is a popular section as far as a great many of the proponents of this legislation are concerned. I heard several Members call special attention to it during the general debate and express their approval of it. However, I wish to point out the danger involved in the policy of the action and the direction toward which Congress, consciously or unconsciously, seems to be headed in that regard. It is not the first time a similar provision has been passed. In the Guffey Coal Act the Coal Commission and the Consumers' Counsel were both authorized to make complaints and prosecute, before the Interstate Commerce Commission, cases involving charges for the transportation of coal. In view of the recommendation of the Brownlow committee to put the Interstate Commerce Commission and other independent agencies of the Government under a Cabinet official, I believe one is forced to give attention to this section and similar provisions in other acts of Congress. They squint, at least, toward political control of the Interstate Commerce Commission and toward bringing political pressure to bear upon the Commission in the exercise of its judgment in fixing freight rates for the transportation of different commodities which ought to be a purely judicial function. If we pursue this policy, there is no reason why eventually labor should not ask that the Secretary of Labor be authorized to initiate and prosecute complaints where the interests of labor are involved, and so we might go on down through the list.

I shall not move to strike this provision out of the bill at this time, but I do believe the attention of the House ought to be called to it and to the policy which we seem to be embarking upon or pursuing by keeping it in the bill,

and which may come up in some other piece of legislation at any time.

[Here the gavel fell.]

Mr. MAPES. I ask unanimous consent, Mr. Chairman, that I may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MAPES. Mr. Chairman, the Interstate Commerce Commission must take into consideration the whole rate structure in passing upon cases before it, not just the interest of any one special class, and I believe that the interests of all classes are safe in its hands. It is an impartial governmental body, with no special ax to grind.

Mr. JONES. This only authorizes the Secretary to file applications and to fight them through.

Mr. MAPES. Yes; but in order to mean anything or be at all effective, it will be necessary to create a division in the Department of Agriculture for the purpose of doing the work contemplated by the section and that will necessitate additional appropriations and more or less duplication of work. I doubt the wisdom of it all, as well as the necessity for it. [Applause.]

[Here the gavel fell.]

Mr. O'CONNOR of Montana. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, speaking for the farmers of Montana whose interests are, I believe, closely linked with the interests of all agriculture in this country, I want to urge with all the strength and sincerity at my command the enactment of the farm bill which is now pending before Congress.

Legislation of this kind must be the next great accomplishment of the Roosevelt administration on behalf of agriculture. From the date that this administration took office in 1933, its agricultural policy has been one of the pillars of its entire service to the American people. This splendid work must go on. We must enact the best legislation that we can devise.

I do not believe the American people yet appreciate the predicament of agriculture. The whole farm program of the Roosevelt administration was taken away from agriculture and the farmers were left without anything to help them. That was the real significant meaning of the decision of the Supreme Court on January 6, 1936.

The Roosevelt administration saw and understood that critical situation. Under our great leadership in this Congress and in the Presidency, there was immediately enacted the Soil Conservation and Domestic Allotment Act. Under this act the administration has done its best to overcome the damage of the Hoosac Mills decision. I appreciate that. Let no man misunderstand me. I know that the administration through the soil-conservation program of the Triple A has done the best it could. But I hope that the people will also understand the problems which remain for the producers of the great staple commodities for those farmers of Montana and the other Great Plains States who produce wheat and corn, for the great livestock industry which feeds corn, and for the producers of the export crops—cotton, tobacco, and rice.

In advocating enactment of this bill, I am speaking specifically in defense of the wheat growers. The wheat growers need to have a place in the national farm program. With the other farmers of the United States, we absolutely have to have a carefully worked out program which will protect them, their prices, and their income.

The producers of the great export crops like wheat do not have the advantage of any real tariff protection. They are not able without help to control their production like the great corporations do. They cannot, like big business, regulate their prices. They must have the help of the Government so that they can cooperate in carrying out a national program.

But I want to call the attention of the Members of this House to the fact that before any program can be of actual benefit to agriculture it must meet two great requirements.

First, it must be fundamentally sound in principle and, second, it must be practicable and workable in actual operation.

I know that every one of us agrees on the first point. They will agree with the general proposition that a program has to be well thought out and sound in principle. But in the case of wheat, which is an absolutely vital industry, because it supplies the Nation with bread, there is some difference of opinion as to just what is the best program for the wheat farmers.

In my opinion, the producers of the great export commodities need a program which is different from that needed by those whose products are sold on a domestic basis. The producers of the export products like wheat have to sell on a world basis. When there is a surplus the tariff does not work for them. Except in years of drought or crop shortage from other reasons, it is mostly a fiction.

Since the price of wheat usually goes up and down with world prices and world supplies, rather than supplies in this country, the wheat farmer cannot increase his income by merely reducing his production. He may reduce his production but not have any gain in price, because his price will be fixed on the world market. It will be fixed on the world market unless production is cut down far beyond the percentage anybody has suggested.

I want to plead with the Nation to be fair with the wheat farmer. Being fair with the wheat farmer would mean going beyond this bill as it stands. It would mean supplementing the American price with payments to offset the tariff made to those wheat growers who cooperate in the program. These payments would have to be financed somehow. For my part, I think it would be fair to finance them by a tariff equalizing tax on the processing of wheat. It is said that such taxes would be paid by the consumer. That is true, but is there one Member in this House who can tell me a single respect in which the effect of a tax on the consumer would differ an iota from the effect of paying a fair price for wheat? So I say that I am for a sound program for the wheat farmer, and in my opinion this means a program which is properly financed.

Now, we must have a sound program not only for wheat but for agriculture in general. And that brings up my second point. It is vital to have the program practicable and workable in method.

But as to this second point, it seems to me we are in great danger. It seems that the carefully worked-out plan of the chairman and his able committee is being undermined and destroyed by the acceptance by this House of amendments which are utterly thoughtless, utterly impracticable of administration, and which, if allowed to stay in the bill, will reduce a potentially valuable program to a ridiculous bundle of contradictory and impossible rules.

In the interests of the people of Montana I have favored passage of the farm bill now before this House, with the reservation that something more should be done for livestock. I still favor passage of the bill, but with one even more vital reservation. The newly added amendment which would put bureaucratic restrictions on the use of acres diverted from wheat and from the other four major soil-depleting crops should be removed.

It is true that the amendment was put forward in good faith as a means of protecting the interests of livestock and dairy industry. But after careful thought I am asking that the amendment be removed, in the real interests of the dairy and livestock farmers of Montana, as well as the interest of Montana wheat farmers.

I have no doubt that many of the gentlemen who supported it think that the amendment improved the farm bill. I thought so. The truth of the matter is that we have taken the heart right out of the bill. We may think that we still have a farm program pending before us. The truth is that the bill we are considering no longer is a real farm program. If it were passed as it stands now, it would stand small chance of being put into practice. It is simply unadmin-istrable.

Summing it up, the recent amendment puts strings on payments for diverting land from cotton, corn, wheat, rice, or tobacco and planting it to soil-conserving crops. Such payments would be forbidden in connection with any diverted acreage if any of the soil-conserving crops were used to supply feed for any livestock not used on the farm. The rule would include cattle, sheep, dairy products, and poultry and poultry products.

In other words, the supporters of the amendment say that it is meant to protect established livestock, dairy, and poultry men against any possible competition which might result from the way wheat farmers and others used their diverted acres. There is no evidence that any such danger exists, or that the amendment would offer any protection if the danger did exist. I want to discuss some of those points later.

The really important thing is this: No matter what the principle of the amendment may be, it simply cannot be made to work. If it stays in the farm bill, the whole program will be unworkable.

At least half of the Members who voted to put the amendment into the bill have said that the bill goes too far—that it would regiment farmers. The regimentation which they fear consists of marketing quotas in abnormal surplus years, along with Government loans on the surpluses which are temporarily held off the market. Such regimentation would not take place unless the farmers who would be affected voted for quotas by at least a two-thirds majority.

Now, along comes this amendment which would regiment farmers all of the time. It would not regiment just the farmers; it would regiment cows and sheep and hens, too. If they ate so much as a mouthful out of one of the forbidden fields, their owner would lose his payment for diverting the acreage in that field. If he failed to watch what the animals were doing, or for any other reason failed to report that he had forfeited all or part of his payment, he would be breaking the law.

If drought came and a farmer needed all the grass he had, he could take the choice between seeing his animals go without or forfeiting his payment. If his wife sold a few dozen eggs every now and then, she would have to be careful as to where the hen's meals came from.

There is no end to the situations which might come up. Payments for diverting acreage from wheat, corn, cotton, and the like would be the mainstay of the proposed farm program, just as they are such an important part of the present agricultural conservation program. All of those payments to every farmer would be under a shadow of doubt until it could be proved, if it ever could, if the acres ever supplied food for any farm animals, and just what kind of animals they were. A full-time cow and hen watcher on every farm, maybe two shifts of them, looks like the only answer. A farm program like that would be the same as no program except for costing money and annoying farmers.

When I say this I am thinking of Montana's wheat farmers and of her livestock and dairy farmers. I am thinking of all Montana farmers and of her industrial wage earners and business and professional men as well. Not Montana alone but the whole country needs a sound and permanent farm policy. Passing a farm measure that cannot be put into practice is no way to get such a policy.

Suppose there were some practical way to regiment the use of diverted acres. Would it really help dairy and livestock farmers? If so, the matter ought to be considered carefully. In normal years, entire livestock industry—cattle, sheep, and dairy—is more important to Montana farmers than the great Montana wheat industry. Furthermore, no one class or area can be permanently helped by any system that injures any other class or area. But there is little or no evidence that putting a legal fence around diverted acres would be of benefit to the livestock interests. And there is a great deal of evidence that a plan like that provided in the amendment just added to the bill would work serious harm on the very farmers it purports to protect.

It would take years of study to answer fully all the questions I have raised. But I want to pause long enough to make four important points—two negative and two positive.

First, unrestricted use of diverted acreage would have little or no effect on the livestock, dairy, or poultry industries.

Second, this is the fourth full year that acreage has been diverted through the agency of a national farm program. Nothing terrible has happened to livestock or dairy farmers. Instead, they are much better off than they were when the programs began.

Third, the greatest threat to the prosperity of those three industries comes when there are surplus acres of cotton, corn, and wheat; and low prices drive the staple-crop farmers into new ways of making a living.

Fourth, buying power of people in towns and cities, and stable supplies and prices of feed grains are the two essentials for successful dairying or poultry and livestock raising. Both of those essentials are possible only when agriculture is kept in balance.

I am in favor of H. R. 8505—so long as it is not rendered ineffective by amendments. As I have said, I think that the bill would be improved by adding provisions to benefit livestock men, if those provisions are practical. But impractical provisions would be worse than none. I feel that I am speaking in the interests of Montana wheat farmers, cattle and sheep raisers, and dairymen, and of Montana workmen and businessmen. I watched farmers go broke and lose their farms in 1932, and I saw jobless men walking the streets of the cities of my district.

I have seen the recovery which has followed. Cash farm income in the State went from less than \$48,000,000 in 1932 to over one hundred million in 1935. During those years, income from wheat rose 130 percent. Income from cattle and calves rose 229 percent. That rise, incidentally, took place while acres were being diverted from wheat to grass. The drought of 1936 put farm income for that year under the 1935 figure, but still far ahead of the low point in 1932.

During those years, bank deposits rose, life insurance sales went up, new automobile registrations increased, the number of commercial failures decreased. Montana has gone along in the national move toward better times.

There is no doubt that farm recovery has been one of the prime movers in this advance, or that the Agricultural Adjustment programs were the leading factor in farm recovery. Since the Supreme Court decision in the *Hoosac Mills* case, the agricultural conservation has been useful in holding agricultural gains, and in stimulating the highly important work of soil conservation.

At the same time, we must concede frankly that the adjustment programs were emergency treatments rather than well-rounded farm policies; and that the conservation program leaves out vital parts of a permanent program.

The present need is for a beginning of a sound, long-range national farm policy. I believe the bill pending in this House supplies such a beginning. It is broad, temperate, and practical. It builds into one system four methods with which we have had successful experience. Those are the present conservation program, acreage adjustment, commodity loans, and marketing quotas in times of emergency.

The system gives us a base on which we can build. It is something which both my farm and city constituents in Montana, together with other citizens of the Nation, can hold fast to, develop, and improve, particularly in relation to the range program and other aids to livestock men. At present, our greatest responsibility here in this House is to find a way to make democracy work in our times. By approving this bill as introduced we will be building one of the instruments to make it work. We cannot afford to let any short-sighted hope of advantage for one group lead us into weakening the instrument even before it is put into use. [Applause.]

MR. CRAWFORD. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. CRAWFORD: Page 81, line 5, strike out section 401 (a), lines 5 to 17, inclusive.

Mr. CRAWFORD. Mr. Chairman, the Motor Carrier Division of the Interstate Commerce Commission is in extreme difficulty. When we enacted the law which called for the control of interstate truck operators, we launched one of the most difficult undertakings that can be found in our whole industrial and economic fabric from the standpoint of Federal control. We have never provided the funds which would enable that Division of the Interstate Commerce Commission to function. The infant has never been able to get on its feet. It has never had the necessary personnel. From the date of its birth it has been struggling under a load that would require a matured division of Government to carry.

Its work is divided into general sections such as that covering complaints, finance, law enforcement, safety, traffic, accounting regulation, research and investigation, the study of drivers' problems, the investigation of sizes and weights of motor vehicles, and the general administration.

The Division's request for funds has been cut almost 33½ percent—and, mind you, this is a new division, with tens of thousands of most difficult and individual cases to deal with. The entire field is new, a staggering amount of foundation work must be done, great educational burdens must be carried. The department is in the greatest immediate need imaginable. It needs assistance now.

Eighty-nine thousand applications for certificates and permits are now on file. The number is increasing constantly. New applications are being filed at the rate of about 400 each month. The applications are handled in two ways—one requires a formal hearing. The other group, consisting of "grandfather" applications properly filed, can in the majority of cases be handled without the necessity of formal hearings. All of the 400 applications being received each month must be set for formal hearing. These hearings are being conducted at the rate of 250 each month, leaving a deficiency of approximately 150 each month. At this rate, considering the number already filed, the Division is about 25 months behind schedule. Within these 25 months there will probably be 10,000 additional applications filed and then the Division will be 3 years and 4 months behind. Need I say more. The seriousness of the situation is too evident. Terrible damage to shipping, commerce, the truck operator, the railroad, and the public in general is being imposed by reason of Congress not providing this Division with the necessary funds.

My proposition is that the Motor Carrier Division of the Interstate Commerce Commission should be more adequately implemented. We may pass laws but if we stop there their results are not achieved automatically. They do not operate in vacuo. When they are enacted here, we should count the cost of placing behind them the driving force of government. If I may observe, it is idle to pass new laws: It is of little use to revise old laws unless we realize fully that their administration is as important as their formulation. If we sit here and enact ambitious laws and then do not provide the means of their enforcement, it is to "keep the word of promise to our ear and break it to our hope."

This provision in section 401 (a) calls for a vast amount of additional work on the part of the Motor Carrier Division of the Interstate Commerce Commission. I repeat, it is utterly unable to function under the present load. I trust we will correct this situation and do it adequately and quickly, and thus implement this important division with the necessary tools in all departments, thereby making it possible for section 401 (a) to function.

Commissioner Rogers, in charge of the Bureau of Motor Carriers, stated the following the other day:

Regulation of motor carriers was a part of the program of the President as outlined in his Salt Lake City address. It was enacted upon urgent requests of motor carriers, railroads, shippers, and State and Federal commissions.

Upon this regulation depends in large measure the welfare of the interstate motor-carrier industry employing more than 2,000,000 people. This vast industry is barely keeping its head above water, as it is and is headed for the rocks if this regulation fails. If regulation fails, the consequences will be seriously felt by the competitive rail industry, which likewise is in a serious condition.

During the first 18 months everyone was surprisingly patient in the face of our inability to do that which they knew and we knew should be done. This patience is rapidly disappearing. Even without this last drastic reduction we have 7 months to go before the appropriation would be available, and in the meantime we cannot avoid getting further and further behind.

Mr. Chairman, section 401 is utterly meaningless unless we implement the Bureau of Motor Carriers of the Interstate Commerce Commission by giving it a better personnel and coming to the rescue of Commissioner Rogers, who has charge of this Bureau. The farmers are as much interested in rates made by truck operators as they are in rates made by the railroads. The railroads are asking for a 15-percent increase in rates. Yet the Bureau has no power to function at the present time. It has only a few employees. It has never got onto its feet. The total number of employees, I am informed, is only 133 inside the District and 79 outside, or a total of 212 employees. It is physically impossible for this Division to serve the interested parties—the shipping public, the motor-carrier operators, and others—with such a small personnel. To expect them to do so is but a joke and mockery. If the operation of the Division completely breaks down it is no fault of the Division but the blame can be placed squarely on the shoulders of Congress. If the act was a constructive one, then let us back it up and make Government control effective—otherwise repeal the act. [Here the gavel fell.]

Mr. JONES. Mr. Chairman, with respect to the amendment to strike out section 401 (a), the question which my good friend from Michigan refers to is not involved at all. The question of what provision shall be made for handling the Motor Carrier Division is an entirely different one.

This provision of the bill authorizes the Secretary of Agriculture to make application for correction of discrimination in freight rates against farm products, both in respect of rail rates and motor rates. I cited the other day some of the rankest discriminations involved and I made a speech a number of years ago on the same subject. There has been nobody whose business it has been to see that the farm freight rates are kept in their proper relationship in this picture. The question of whether more money is needed for the handling of the Motor Division or for the Interstate Commerce Commission is not involved here.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. CRAWFORD. I think that is involved in this way: The Secretary is authorized to make these complaints. Now, what is he complaining about? He is complaining about a freight-rate situation. The truck operators of this country are filing tariffs down there by the tens of thousands, and these questions cannot be taken up by the Secretary of Agriculture when the Interstate Commerce Commission cannot deal with the problems on their desks now, and therefore they cannot answer the complaints of the Secretary.

Mr. JONES. I do not think the farmers should be the only ones to suffer.

Mr. CRAWFORD. The gentleman is correct. The entire country and the whole transportation system and everything related to it is involved, and I may say to the chairman of the Committee on Agriculture that I used this section as a means of getting these facts before the Members of the House.

Mr. JONES. I understand.

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HENDRICKS. Mr. Chairman, I regret very much that the amendment of my colleague [Mr. Wilcox] was not adopted, as I believe my State needed it. May I say that I am inclined to vote for this bill not because I believe the bill is as good as it could have been, or not because I believe it is as inclusive as it should have been; but if I vote for it, which, of course, depends upon its final form, it will be because I believe it to be only an experiment out of which I hope will

come some good, because I think perhaps it will indirectly and remotely affect some of the farmers of this Nation, and because I have tried to take the position that I am representing the entire population of this Nation and not my constituents alone.

It is a peculiar thing to me that on each occasion when I have been called on to vote upon a matter affecting those whom we may call farmers in my State that the measures have affected them adversely, and yet I must vote for these measures because they help other sections of the country.

The first measure of this nature which I was called upon to support was the bill for the extension of authority for reciprocal-trade agreements. An attempt was made to point out to me wherein my State received some sort of benefit from these agreements. Frankly, I never understood the explanation. Neither do I believe that those explaining understood; however, there is one thing that I do understand, and so do the farmers in Florida, and that is that under the agreement with Cuba, that island with its cheap labor and other advantages, was able to ship into the markets of the United States such competing products as tomatoes, cucumbers, peppers, and others and sell them in many instances for 1 cent less per pound than it took to produce them in Florida. As a result of this agreement, thousands of acres of productive land lay idle in my State, and if the gentleman from North Carolina does not believe what my colleague [Mr. GREEN] said recently about many of our farmers going on relief, I believe he can be furnished facts and figures that will convince him.

The second measure I was called upon to support was the sugar-quota bill. Florida has in recent years started to produce sugar commercially, and in spite of the fact that we could produce hundreds of thousands of tons of sugar, we were allotted a few thousand tons. When we asked for a quota of sugar to equal at least the consumption of this product in our State we received no consideration. I am glad that the amendment to this bill sponsored by Mr. BREWSTER, of Maine, and myself was adopted, the effect of which provides that if sugar or potatoes or any other commodity should later come under this bill a State may produce their domestic consumption without regard to foreign importations.

Now, the third measure I am called upon to vote for is this farm bill. Perhaps someone is prepared to explain to me just how this bill will benefit Florida, but it may be that after I have had such explanation the results will be just as disastrous as those of the agreement with Cuba. These are the measures that I have been called upon to vote for, and my delegation was castigated and accused by the gentlemen from North Carolina of asking for some special privilege over other States because we tried to get a small concession in the tobacco section of the bill. I want to say to the gentlemen that I have discovered since I have been here that it is incumbent upon a delegation to look out for their State, for certainly no one else will. I cannot see how it could greatly disturb the effects of this bill to provide that a State like Florida, which is attempting to diversify her crops, have a quota of about 1 percent of what tobacco is grown in the United States, particularly when only about a dozen States grow tobacco, and one State had a production last year of 69 percent.

Be that as it may, I hope that on some occasion I shall be permitted to vote on something that will directly benefit my farmer friends in Florida.

The CHAIRMAN. Are there any further amendments to section 401?

Are there any amendments to section 402?

Mr. KLEBERG. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this action in order to ask my distinguished friend the chairman of the House Committee on Agriculture whether he thinks the language in section 402 is sufficiently mandatory, intelligible, and explicit at least to permit the Secretary of Agriculture, under the provisions of the section, to establish a laboratory for research looking

to a wider and more extensive use of cotton if a State were to raise \$250,000 of coin of the realm for that purpose.

Mr. JONES. Yes; and the same would be true with respect to any other cotton.

Mr. KLEBERG. I asked particularly with reference to cotton.

Mr. JONES. I certainly think it is; and I think if this provision goes through one should certainly be established.

Mr. KLEBERG. And the gentleman believes that is the intention of the Congress and certainly of the Committee on Agriculture?

Mr. JONES. There is no question about that.

Mr. KLEBERG. Mr. Chairman, under the permission granted me in the House, I submit the following letter, addressed to the Honorable Henry A. Wallace, Secretary of Agriculture, by Mr. A. B. Conner, director of extension from the Texas Agricultural Experiment Station at College Station, Tex., together with some data having to do with expenditures heretofore made by the Congress in support and maintenance of the forest products laboratory located at Madison, Wis.:

TEXAS AGRICULTURAL EXPERIMENT STATION,
College Station, Tex., November 6, 1935.

HON. HENRY A. WALLACE,
Secretary of Agriculture, Washington, D. C.

DEAR MR. SECRETARY: I submit to you herewith a proposal for a regional cotton products laboratory to serve the entire Cotton Belt. This proposal has to do with the development of new uses for cotton and its byproducts, and has, I believe, a direct bearing upon the marketing of cotton and cotton products, which plays such an important part in the Nation's affairs.

It is proposed that this regional cotton products laboratory be established at one of the land-grant colleges in the Cotton Belt, out of moneys made available by the Bankhead-Jones Act, approved June 29, 1935, and that the projects undertaken be developed with the counsel of the experiment stations of the cotton States. I am accordingly sending copies of this proposal to the station directors concerned.

Very truly yours,

A. B. CONNER, Director.

Title: Regional Cotton Products Laboratory.

Region served: The entire Cotton Belt, ranging from California on the west to Georgia on the east.

Location: To be located by the Secretary of Agriculture at one of the land-grant colleges in the Cotton Belt.

Cooperation: In the development and operation of this regional laboratory, the cooperation of the Office of Experiment Stations, the Bureau of Chemistry and Soils, the Bureau of Plant Industry, the Bureau of Agricultural Economics, and the agricultural experiment stations of the several cotton-producing States is essential.

Funds: It is estimated that in addition to the cost of the buildings, it will require \$100,000 to man and equip this laboratory with such equipment as is immediately needed. Thereafter a technical staff and added equipment as needed are the chief necessities.

Regional cotton research council: It is proposed that this laboratory shall be established by the Secretary of Agriculture, or his duly authorized representative, and shall be a regional laboratory in the real sense as distinguished from a State experiment station system on the one hand, and a Federal bureau on the other. Its work shall be planned, developed, and conducted with the joint counsel, advice, and participation of the Federal bureaus and the State experiment stations in the cotton States. This laboratory should, in fact, be participated in directly by the different stations to an extent that subsidiary problems in connection therewith peculiar to a particular State or locality might be readily recognized and handled by these stations themselves.

It shall be conducted in the usual spirit of scientific cooperation under the Secretary of Agriculture, with the counsel and advice of the directors of the experiment stations of the cotton States and the heads of the Federal cooperative bureaus or other representatives of the United States Department of Agriculture.

To aid the Secretary in the formulation of the research program and policies and in dealing with the problems of correlation of effort, the heads of the State and Federal agencies participating in the regional research of the laboratory shall constitute a research council. It is proposed that it shall be the duty of this council to advise the Secretary from time to time concerning the program and of any changes, substitutions, or additions that should be made in the research program of the laboratory. All projects conducted in connection with the laboratory shall be considered by the research council and approved by the Secretary.

Objectives: The objectives of the Regional Cotton Products Laboratory shall be to develop from cotton and its byproducts new products and byproducts and uses for them that will insure a wider utilization of cotton and cotton products, and thus enhance the marketing facilities of this important commodity. (See appended outline for details.)

Administration: The administration of the laboratory shall be under the direction of the Secretary of Agriculture in accordance with that section of the Bankhead-Jones Act dealing with regional research and the funds appropriated therefor. It is hoped that it may be so administered that it will fill in the gap in American agricultural research organization and that it will never become a mediocre experimental establishment duplicating the research of either the State agricultural experiment stations or the Federal bureaus. The research undertaken should be basic and regional and thus complete the linkage between the work of the State and Federal research agencies. It should, therefore, become an integral part of a comprehensive program of well-planned agricultural research serving the Nation as a whole.

Detailed cost—Budget for the first fiscal year

Salaries	\$49,680
Details:	
One P-6, director of laboratory	\$5,600
One P-5, chemist, oils	4,600
One P-5, chemist, proteins	4,600
One P-5, chemist, cellulose	4,600
One P-5, chemist, solvents	4,600
One P-5, chemist, plastics	4,600
Five junior chemists, at \$2,200	11,000
Four stenographers, at \$1,440	5,760
Four unskilled laborers, at \$1,080	4,320
Operation	50,320
Details:	
Office furniture, fixtures, and equipment	\$5,000
Scientific equipment	37,320
Chemicals and laboratory supplies	5,000
Office and traveling expenses	3,000
Total, first year	100,000

A BRIEF RELATING TO A REGIONAL COTTON PRODUCTS LABORATORY TO PROVIDE FOR RESEARCH ON THE UTILIZATION OF COTTON

The greatest opportunity in agricultural research of the future undoubtedly lies in developing new uses for agricultural products and byproducts and in improving upon present methods of utilization. Agriculture supplies the raw material for many industries, but agriculture, being the aggregate of many relatively small, highly individualistic enterprises, has no facilities for keeping in close touch with the demands of industry or in suggesting or developing new industrial uses for agricultural products. Industry, on the other hand, is concerned mainly with obtaining raw materials as cheaply as possible for highly specialized processes and is not interested in utilizing its resources in finding new uses for agricultural products except such byproducts as occur in the manufacturing processes.

Whenever the raw products of agriculture are consumed by a large, well-organized, closely knit industry, new uses for the byproducts are soon discovered. For example, the sugar manufacturers are now using bagasse, formerly a waste product, in the manufacture of Celotex, an insulating material. The meat-packing industry has developed literally hundreds of new uses for animal byproducts, ranging from fertilizer and glue to violin strings and highly purified pharmaceutical products.

These two industries are unique in that they purchase, as raw material, the entire product of the farmer, the sugarcane stalk in one case and the meat animal, including hair, hide, hoof, and bones, in the other. In contrast to this situation, the farmer who produces cotton leaves the stalk on his farm, the burs at the gin, sells the lint to one agency and the seed to another. The lint, in turn, is resold to a wide variety of industries, each of which is interested only in its own particular use of cotton lint and has little incentive to discover new uses for the fiber and none whatever in developing new uses for the other products of the cotton plant. The spinner, for example, will not go out of his way to develop the use of cotton fiber as an insulating material. Unless he were broadminded he might even discourage such research on the theory that new uses for the fiber would result in an increase in the price for his raw material.

Probably the greatest need of both agriculture and industry today is a liaison agency which will discover new uses for agricultural products and develop improvements on present methods of utilization. Such an organization, understanding the needs of both agriculture and industry, would serve both enterprises to the mutual profit of both. A start in this direction has already been made. A corn products laboratory has been established in Iowa, and a wheat products laboratory has been established in Nebraska. A similar enterprise serving forestry, known as the Forest Products Laboratory, has been established in Wisconsin.

The laboratory, though established primarily for studies on the utilization of cotton and its byproducts, might eventually be used for the purpose of conducting experiments, investigations, and tests with respect to the chemical and physical properties and the utilization and preservation of agricultural products, with particular reference not only to cotton lint and linters, cotton hulls, cottonseed, and cottonseed products, cotton stalks, and burs, but also to corn and corn stalks, wheat and its byproducts, grain sorghum, rice, oats, barley, broomcorn, fruits and vegetables, milk, meat, eggs, wool, mohair, and other similar agricultural products and byproducts.

COTTON

Cotton is the most important agricultural product in the South and the largest cash crop in the United States. It also plays the most important role in our international trade, exceeding in export value any other American product and maintaining, more than any other commodity, a favorable balance of trade for the Nation.

The average annual value of the cotton crop in the United States for the period 1924-30 is \$1,422,842,000, of which \$1,251,082,142 constitutes the value of the lint and \$171,759,857 the value of the seed.

Stalk: Though the cotton stalk is probably not as well suited for a source of cellulose as are many other plants, its possibilities as material for the manufacture of insulating material, wall board, paper articles of various kinds, rayon, cellophane, and other materials should be investigated. The bast fibers should also be studied from the standpoint of possible utilization in the manufacture of cordage and coarse textiles.

This research, in addition to providing the cotton farmer with a new source of income, would also be of value to the paper, building, and textile industries.

Burs: Where cotton is snapped or harvested by sleds or other mechanical devices, huge piles of burs accumulate at the gins and are usually destroyed by burning, resulting in a complete loss. These burs should be put through a process of destructive distillation to determine whether any solvents or other valuable chemical compounds can be reclaimed. The ash is known to be rich in potash, which suggests the possible utilization of the burs in fertilizer manufacture. The cellulose in the burs would probably have the same utilization as that in the stalk mentioned above.

Research on this subject would be of value to the ginner, fertilizer manufacturer, to the chemical industry, and would reflect additional profits to the farmer.

Seed: Considerable progress has been made in the utilization of the seed in the manufacture of oil and meal. Additional research is needed to improve upon present methods of manufacture and to discover new products which can be manufactured from the seed and new uses for present products. Research on cottonseed would include the following problems:

(1) A thorough study of the structure and chemistry of the cotton seed.

(2) A study of the most effective methods of manufacturing the linters, oil, cake, and hulls from the seed.

(3) Improvement of methods of utilizing the oil. Cottonseed oil should be thoroughly studied for the possibilities of utilizing the oil in a wider variety of food and feed products and for various industrial purposes. There may be an opportunity of converting cottonseed oil into an unsaturated or quick-drying oil needed in the manufacture of paint. There is a decided shortage of quick-drying oils in the United States at present, the average importations of flaxseed exceeding 21,500,000 pounds, and linseed oil 6,250,000 pounds.

(4) Cottonseed meal should be considered as a potential source of human food. A few products of this nature are now being manufactured on a small scale, but there are undoubtedly numerous additional possibilities in this direction.

(5) The hulls should be considered from the standpoint of use as a substitute for excelsior as a packing material. A patent covering the use of cottonseed hulls for putting greens on golf courses netted the owners hundreds of thousands of dollars during the recent rage for miniature golf.

(6) The most effective way to utilize the linters and extend their use in the manufacture of new products.

Research on the cotton seed would be of direct value to the farmer and to the cottonseed industry, which is one of the largest in the South.

Lint: Fiber is the most important part of the cotton crop and an enormous amount of research work is needed in perfecting methods of utilization. This will be discussed under two headings, as follows:

(1) Fiber research:

(a) Investigations on the morphology and technology of fibers as related to the textile industry.

(b) Chemical and physical properties as related to chemical industry.

(c) A study of the morphology of the cotton fiber relative to texture, strength, and uniformity of length. Through such research a more definite measure should be established for that property in cotton lint properly known as quality.

(d) Effect of various methods of ginning and cleaning cotton on the fiber.

(e) Effect of fertilizer, irrigation, and diseases on the quality of the cotton fiber.

(2) Fabrics:

This is a traditional field for cotton and it can probably be expanded. Competitors of cotton, such as silk, rayon, and wool, should be studied to find out what makes them more desirable as compared with cotton. Perhaps cotton could be treated in some way to give it the strength, sheen, and softness of silk or rayon, or the warmth of wool. Its cheapness would give it an advantage over such competitors.

(a) Development of attractive patterns and weaving processes for particular uses.

(b) Testing fabrics of known history—fibers of varying lengths woven into fabrics of various types and subjected to tests to determine their suitability for various purposes.

(c) Effect of various treatments preliminary to spinning and weaving.

(d) Style—when women or men purchase clothing or fabric, they are not interested in the material as much as they are in beauty. Beauty has always been worth dollars and cents to commercial nations. The manufacturer often fails to realize his limitations in the field of design. He often does not know the difference between good and poor designs.

When Louis XIV of France imported weavers, dyers, designers of fabrics, gold and silver workers, skilled carvers, workers in precious stones and in ceramics, painters, architects, and other artists, he laid the foundation for the industrial supremacy of France in these fields, which has continued until the present time. The entire world wanted to buy their beautiful products.

The silks and woollens of today are far in advance of cotton fabrics in the matter of design. No more practical thing could be done to promote the use of cotton goods than to improve, through research, their design, weaves, textures, colors, and patterns. Successfully accomplished, this would give our cotton textile industry an advantage in world trade which it does not at present enjoy. The market requirements of foreign customers would be studied and provided for through cooperation with the Bureau of Foreign and Domestic Trade of the United States Department of Commerce.

New uses: It is seldom that persistent research fails to produce results of value. No one can say what new uses may be found for cotton and its byproducts. Perhaps new methods of manufacture will be developed which will lessen the cost. Research is largely responsible for our industrial leadership in the electrical and in other fields and this should be applied to the fullest extent to find new uses for the surplus in production.

It is significant that developments in the increasing utilization of cotton have been made almost altogether without any concerted action or conscious direction on the part of the cotton industry. This situation encourages one to believe that organized, cooperative effort on the part of growers, manufacturers, and various research and extension agencies in the industry to develop new uses for cotton and expand present uses should be much more effective in stimulating increased demand for cotton and cotton products than haphazard, individual effort.

(1) Cotton bagging for cotton: About 200,000 bales of low-grade cotton would be needed to wrap the average American crop of cotton. In connection with this possibility two important questions are raised, namely, that of selling cotton on the basis of net weight and that of a tariff on jute.

(2) Fertilizer bags: According to a recent report of the Bureau of Agricultural Economics, 97.6 percent of the country's commercial fertilizer is handled in jute bags and only 2.4 percent in cotton bags. If all fertilizer were handled in cotton bags, approximately 170,000 bales of low-grade cotton would be consumed.

(3) Bagging for grain, feed, and various food products: It is estimated that 200,000 bales of cotton are being consumed in the manufacture of cotton bags in the United States. Most of these bags are used in the wholesale grocery trade. It is further estimated that, if cotton bags alone were used, 600,000 bales of low-grade and waste cotton would be required. A number of important Texas products, such as cottonseed meal, feed, grain, nuts, peanuts, onions, rice, and potatoes, are handled almost exclusively in jute bags.

(4) Cotton bagging for wool and mohair.

(5) A cotton product as a cheaper substitute for linoleum floor covering: Battleship linoleum is made principally of ground cork and linseed oil. Its use is increasing because it is one of the most practical floor coverings for fireproof buildings. The new product might be manufactured in rolls, like carpet, or prepared as a mastic to be applied with a trowel.

(6) Molding material: A molding material somewhat on the order of hard rubber, but less brittle, could be used in innumerable ways, such as for electric-light sockets, dress ornaments of all descriptions, toys, bathtubs and laboratories, buttons, etc. This product might be somewhat in the nature of what is known as bakelite.

(7) Insulation: A cotton felt between two pieces of cloth used to insulate the walls, roofs, and floors of buildings could be made fire and vermin resistant. A loose insulation for refrigerators, refrigerator boxcars, buildings, etc.

(8) Cotton roofing felt: For covering flat roofs. Should be waterproof; resistant to the sun's heat and to cold weather. Must not dry out and become brittle. One layer should be enough to provide protection against water instead of the many layers of asphalt-impregnated felt now commonly used.

(9) A wall covering to replace plaster and wallpaper: Might be made in sizes large enough to cover the walls of rooms without seams and may be either plain, to receive paint, or decorated in patterns like wallpaper. The use of plaster is seriously objectionable in modern building construction on account of the water and the resultant dampness and because of the time required to clean up and to allow the plaster to dry between coats and before it can receive its first coat of paint and then waiting for the various paint coats to dry. All this causes delays which are expensive and the building industry has endeavored for a long time to find some other material. Cotton wall coverings could be mounted on large sheets of fiberboard all ready to install in the building, or the canvas might be stretched from baseboard to

ceiling without the use of the fiberboard, using simply a backing of wood sheathing, which is necessary for strength and is much less expensive than fiberboards.

(10) Acoustical wall covering: Cotton might be used in making sound absorbers and used as a combined wall decoration and a correction of bad acoustical conditions in auditoriums, theaters, churches, etc. Would replace acoustical plaster, acoustical wall-board, wall tile, etc.

(11) Deadening felt of cotton: Located between finished floors and subfloors in residences and apartment houses to reduce the sound transmission through the floor. Would also be used in the partitions between rooms.

(12) Carpets and rugs: Perhaps cotton fiber could be made adaptable for use in rugs and carpets.

(13) Rope: A stronger and more durable rope made of cotton.

(14) More durable textiles: Seat covers, upholstery, window shades, etc., made of cotton.

(15) Substitute for glazed ceramic tile: A cotton product used in walls of bathrooms, in kitchens, etc. Should be impervious to water.

(16) Pipe covering: An insulation for steam and refrigerating pipes.

(17) Shingles: Fiber used to reinforce a cement compound similar to asbestos shingles.

(18) Wallpaper: Made of cotton cloth.

(19) Warm fabrics: Equal to wool in insulating value and weight for clothing, blankets, etc.

(20) Improved airplane fabrics.

(21) Bags: Made of cotton fabrics, waterproof for things damaged by dampness, such as cement, lime, foodstuffs, etc.

(22) Books: Wood paper rapidly deteriorates. Cotton-fiber paper might be made more durable for important books and records.

(23) Boxes: More durable than pasteboard, lighter than wood—containers for package goods.

(24) Better waterproof fabrics: For raincoats, tents, canvas for protection against rain.

(25) Tracing cloth: Only the finest linen is now used for this purpose. Large quantities of tracing cloth are used annually.

Many other uses might be listed, together with an extension and improvement of present uses in tire manufacturing, explosives, Cellophane, rayon, and similar products. The accompanying diagram points out the enormous possibilities in the development of new uses for cotton.

The following information relative to the Forest Products Laboratory at Madison, Wis., was obtained by phone from Mr. Trayer, of the Department of Agriculture:

Current appropriation for all forest-products research—\$628,361. Amount allotted to the laboratory at Madison, \$529,800, which includes both upkeep and maintenance of building as well as research proper.

The laboratory, under agreement with the State, receives from the university an amount equal to 4 percent of the Federal allotment, "not to exceed \$17,000." It also receives varying amounts from cooperators, which, during the past 2 or 3 years, have averaged about \$10,000.

The laboratory has a staff of about 160 people—approximately half of whom are technicians.

It was stated that probably the allotment for the laboratory is expended in the proportion of about 10 percent for upkeep, 5 percent for travel, etc., and 85 percent for research—including salaries and laboratory supplies.

APPROPRIATIONS FOR FOREST PRODUCTS RESEARCH, DEPARTMENT OF AGRICULTURE

Figures below include experiments, investigations, and tests of forest products (under sec. 8) at the forest-products laboratory or elsewhere:

Estimated:	
1938.....	\$628,361
1937.....	608,361
1936 (1938; p. 191).....	507,087
1935.....	459,725
1934 (1935).....	566,791
1933.....	613,614

Items below for the forest-products laboratory specifically:

Appropriations:	
1932.....	\$1,475,000.00
1931.....	737,000.00
1930.....	587,000.00
Expenditures:	
1932.....	1,272,000.00
1931.....	839,300.00
1930.....	584,675.25

"For investigations of methods for wood distillation and for the preservative treatment of timber, for timber testing, and the testing of such woods as may require test to ascertain if they be suitable for making paper, for investigations and tests within the United States of foreign woods of commercial importance to industries in the United States, and for other investigations and experiments to promote economy in the use of forest and fiber products, and for commercial demonstrations of improved methods

or processes, in cooperation with individuals and companies" (Budget, 1929, p. 214):

1929.....	\$505,000.00
1928.....	500,000.00
1927.....	490,264.00
1926.....	383,264.00
1925.....	383,264.00
1924.....	376,893.36

"For investigations of methods for wood distillation and for the preservative treatment of timber, for timber testing, and the testing of such woods as may require test to ascertain if they be suitable for making paper, for investigations and tests within the United States of foreign woods of commercial importance to industries in the United States, and for other investigations and experiments to promote economy in the use of forest and fiber products, and for commercial demonstrations of improved methods or processes, in cooperation with individuals and companies" (Budget, 1923, p. 223):

1923.....	\$340,000
1922.....	325,000
1921.....	223,260

Source: Budget of the United States.

Mr. KLEBERG. Mr. Chairman, I call your attention to the figures concerning expenditures for the Forest Products Laboratory at Madison, Wis., to show the expenditures already made toward development of new uses for wood and its byproducts. These products originate in the main on lands which pay no taxes, public domain forests, and so forth.

Cotton is produced on land every acre of which pays taxes, and is responsible, in its use by industries whose products contain cotton, for the employment of approximately 40 percent of all those gainfully employed in all industries. These so employed do not include the great army of men and women engaged in the cultivation, planting, and harvesting as well as the ginning of cotton. Of all of the products of agriculture cotton is now the most important in the employment of those engaged in its production and conversion into useful byproducts.

The immediate expenditure of at least \$1,000,000 for equipment and maintenance of a cotton research laboratory would, in my opinion, do more looking toward the final solution of the problem of disposition of our cotton and its products than any other moneys however they might be expended at this time.

Mr. HOOK. Mr. Chairman, I offer an amendment.
The Clerk read as follows:

Amendment offered by Mr. Hook: On pages 81 and 82, amend section 402, as follows: Strike out subsection (a) and insert in lieu thereof the following:

"Sec. 402. (a) Of the sums made available in pursuance of section 421 (a), not to exceed \$15,000,000 for each fiscal year is authorized to be utilized by the Secretary for the establishment, equipment, maintenance, and administrative expenses of laboratories and other research facilities for the research into and development of new, scientific, chemical, and technical uses and new and extended markets and outlets for farm commodities and products thereof, in the interest of producers and the consuming public; and, *Provided further*, especially, that \$5,000,000 of the amount authorized for each fiscal year shall be used by the Secretary for the purpose of increasing the consumption of milk and its products, to adequately safeguard the health of the consuming public, especially infants and children of school age, to expand the market for milk producers, and to investigate and promote better methods of the distribution of milk and its products. Such sum shall be available for such purposes, in such amounts, and for such work, carried on by the Department alone or by States and Territories and their agencies and subdivisions in cooperation with the Department, as the Secretary shall determine. No part of the sums available under this subsection (except the amount above authorized with regard to milk and its products) shall be expended in any State or Territory in cooperation with any such State or Territory or its agencies or subdivisions unless the State, Territory, agency, or subdivision has hereafter appropriated not less than \$250,000 for the establishment of physical facilities suitable for use in carrying out this subsection."

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOOK. Mr. Chairman, this amendment seems rather long but I have moved to strike out subdivision (a) and to include practically all of subdivision (a). The real part of

the amendment is on page 82, line 6, after the word "thereof", to insert the words:

In the interest of the producer and the consuming public; and, *Provided further*, especially, that \$5,000,000 of the amount authorized for each fiscal year shall be used by the Secretary for the purpose of increasing the consumption of milk and its products, to adequately safeguard the health of the consuming public, especially infants and children of school age, to expand the market for milk producers, and to investigate and promote better methods of the distribution of milk and its products.

On page 82, line 11, after the word "subsection", place the words in parentheses "except the amount above authorized with regard to milk and its products."

A short while ago in the city of Baltimore the National Cooperative Milk Producers Federation, in its annual convention in that city, said that what interested this country is the under consumption of milk and its products, and at that same meeting the Secretary of Agriculture said:

While suggesting these primary elements of a program for milk producers, I am not unmindful of another major question for which we may or may not find the answer. I refer to the need, especially among the low-income groups, for a greater consumption of fluid milk. I refer also to the need of milk producers in our urban milksheds to make certain that the largest possible amount of milk they produce shall go into fluid consumption. The milk programs with which we are now working do not meet this need. Since that is the case, we must keep alert for the discovery of methods which will meet it.

This amendment will give the Secretary of Agriculture authority to properly bring to the school children of the Nation an amount of milk necessary to build up the health of the youth of this Nation. In other words, this amendment—and I have taken it up with the Agricultural Department and those who will administer it, and they approve of it—will bring to every school child in this country 1 quart of milk a day, and it will reduce the price of milk used in the schools without reducing the price to the producer, by eliminating unnecessary cost in the distributing system of that milk.

It will go further than that. A large amount of money will be utilized by the Secretary of the Treasury and the Federal Trade Commission to investigate and set up a proper method of distribution of milk which will cut down the spread between the producer and the consumer to such an extent that we will bring milk to the children of this Nation at a price which the parents of those children can afford to pay for it. This has been done in England, and it has proved successful. I talked on this amendment on November 29, and at that time explained how it worked in England, where milk was selling on the general market at from 14 to 16 cents a quart, and they gave it to the children of that great nation at the rate of 6½ cents a quart, but did not reduce the amount that was paid to the producer of that commodity. They did it by eliminating the big spread in the distributing system and improving the method of distributing the milk. We must close the gap between the overproducer and the underconsumer. The Secretary should be authorized to do all that he can to increase the consumption of any agricultural product, but we must start somewhere, and I know no better place than in the schools where the health of the children must be protected. I hope this amendment will be adopted.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MURDOCK of Arizona. Mr. Chairman, I ask at this point in the Record that I may extend my remarks and not to take up the time of the Committee further than to say that I am in hearty sympathy with my colleague who just preceded me in regard to a larger appropriation for the purpose which he emphasizes. I also want enlarged facilities for the purpose of finding new uses for agricultural products of all kinds, as well as of milk, that we may have a greater home market for those products.

It appears to me ridiculous that we are now forced into a situation compelling us to reduce production in order to take care of the surplus from our farms. The proper way to take care of farm surpluses is to furnish purchasing

power to all our people in satisfying present wants and to create new wants demanding a greater use for what may be grown on the farm. I think we ought to have a thorough scientific study of methods.

Mrs. JENCKES of Indiana. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK of Arizona. Yes. I shall be glad to yield to the gentlelady from Indiana.

Mrs. JENCKES of Indiana. Is the gentleman informed of the great number of uses to which farm wastes and other farm products may be put? In the United States Bureau of Standards there are many articles on display that they have made out of cornstalks, oat and wheat straw, and which have been developed to a semicommercial production state.

Mr. MURDOCK of Arizona. I thank the lady for her contribution. I am not sufficiently informed and I do not believe the public is sufficiently informed about such matters. To widen our knowledge is the purpose of this section of the bill and to enlarge upon its application is the purpose of this amendment. So thoroughly do I believe in the benefits of scientific research, I would go stronger than the committee did in the original draft.

Of course, more than a third of our population will be ill-fed until we produce and distribute more milk to our children. As a school teacher I know that as well as parents know it. To what extent can we increase the "economic demand" for milk, and to what extent can we increase the supply at a profit to the dairyman? I know about the "want" which exists, but economic demand is want coupled with ability to purchase. My friend from Michigan makes some interesting suggestions.

The gentlelady from Indiana also makes some very interesting suggestions. New uses for farm wastes—she comes from the Hoosier State which produces corn, as well as brainy men and beautiful and brilliant women. Is she thinking of the variety of new uses to which corn may be put? It is true that half of the materials of which an automobile is made may be obtained from the farm? If so, undoubtedly more than half of the material of which a house is made might be taken from the farm. Have we not mined the earth in our generation and exhausted its limited and un-reproducible resources to operate our machine civilization when we might now get most of such materials from the topsoil in inexhaustible quantities?

Some thoughtful citizens say we ought to take a hint from Joseph, of ancient Egypt, and lay by a store in fat years as a preparation against the lean years. That would be one kind of preparation—and not a bad idea. However, we are told that the actual existence of stores of cotton, or any farm product, even in Government storehouses, withdrawn from the market, nevertheless has an effect upon the commodity price under our present economic system. Is it necessary as a part of wisdom in an agricultural country as vast as ours to build storehouses and actually pile up corn, cotton, and wheat against a time of shortage?

There are those who think that it is entirely improbable that all parts of this broad land will have a drought or crop failure in any one year or in a given period. It is thought that with our increasingly improved transportation system making possible the quick transfer of food and produce to all parts of wherever it may be, makes the idea of a famine, as our ancestors knew it, absolutely out of the question. In Asia and in Europe, during times past, famine has afflicted the land frequently while at the same time in regions not far away there was plenty. The chief trouble was that transportation facilities were very poor. Such dire calamities could not happen to us, it is claimed.

In medieval Europe the tillers of the soil produced all the crops they could and used what they needed for food, and then converted what they did not need as food into wine, beer, or some sort of drink. Thus they had some leeway in disposing of the crops, cutting down on the less necessary need in time of shortage and yet always being able to dispose of a surplus in a usable form. The making of a beverage,

after food requirements were met, was one process our ancestors in Europe used quite universally.

I am not suggesting that our people grow all the corn possible and convert the surplus into strong drink, but we probably could convert all over our food requirements into motor fuel, building material, and the like. How many different industrial uses could science find for corn? Would not an economic system permitting the greatest annual production of corn and other crops, using up the surplus over present food needs, in supplementing less imperative industrial needs, be a better scheme of preparedness than the Joseph scheme of warehouses? Well, we might try both schemes, but in the former, science must show us how it should be done.

Mr. JONES. I ask that the gentleman from Connecticut [Mr. PHILLIPS] be allowed to proceed for 5 minutes, not to be taken out of the time on this amendment.

The CHAIRMAN. There remain 3 minutes on this amendment.

Mr. JONES. Perhaps we had better conclude this amendment.

Mr. Chairman, I think the purposes which my friend from Michigan [Mr. Hook] desires to accomplish can be accomplished in the general language. I do not like to take a general provision, which undertakes to provide for research in all major areas, and stipulate a special rule for any one commodity. The purpose which the gentleman has in mind can be served under the provisions of section 32. The money that is made available under that section can be used through the Federal Surplus Commodities Corporation, which we continue in this bill for that purpose, if it is thought wise. I have no doubt that funds will be made available if this provision passes, for a research laboratory to study just what the gentleman has in mind.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. HOOK. Section 32 would not provide funds for an investigation to set up a method of distribution.

Mr. JONES. No.

Mr. HOOK. The Federal Trade Commission has made a very exhaustive study of that and has a very wonderful report. I know they are very much in favor of this.

Mr. JONES. This is research into new uses and new markets, and I rather think we ought to utilize the research into machinery, which the Federal Trade Commission may have made, and they will have advantage of that. Why go into that and authorize a wider field? I am thoroughly in sympathy with the gentleman who has given fine attention to this bill and to this section, but I would much rather keep it general than to have these funds tied up here.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. LUTHER A. JOHNSON. If specific allocation should be made as to cotton and other products, the gentleman will remember that I contemplated offering such an amendment, but the chairman asked me to withhold it.

Mr. JONES. Yes. If we earmark one, then there are 200 different agricultural commodities which would want to have money earmarked for them.

The CHAIRMAN. The time of the gentleman from Texas has expired.

All time has expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. Hook].

The amendment was rejected.

Mr. PHILLIPS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I will endeavor to conclude my remarks in less than 5 minutes, and if anybody wishes me to yield I would appreciate it if the request is made when I have finished, and then I will gladly yield if I have time.

I appreciate the courtesy of the great Chairman of this Committee in according me the floor at this time. I am one of those from a manufacturing and industrial center who

wants to vote for legislation to help the farmer. My friends, I have sat here day after day, hour after hour, listening to this debate. I find it very difficult for me at this time, conscientiously, to vote for this bill. I wish I had time to debate the question with those who have appeared here stating that the tariff so protects the manufacturer, and, I assume, his laborers; that now the farmer must be helped in this particular fashion. May I offer this as an analogy to think about for a moment? Suppose, we will say, our Secretary of Commerce were directed by law to hold an election—I come from a city that makes locks. Suppose the Secretary of Commerce were directed to hold an election of all those making locks in the whole United States, and if two-thirds of those voted in the affirmative, then every lock in stock in the United States over a certain amount would be put under lock and key. I suppose I ought to vote for this bill really because it does store things under lock and key. Then that stock would be sealed. Then they would put a seal on all lock-making machinery, and all the laborers and foremen up and down the line would be subsidized and would be prevented from engaging in any other form of gainful occupation until locks were made again. Now, Mr. Chairman, that is exactly what this bill seems to be like to one person, a freshman Member of this Congress, hoping to find some legislation which he can vote for to help the farmer.

Mr. Chairman, I have been brought up under the old New England doctrine that waste is sinful and that the individual must serve the community by some occupation whereby he delivers some return to the community. If he does not do that, that in itself, you might say, is sinful. That is the old code there in New England. When I see a bill drawn up with a philosophy of scarcity back of it rather than a philosophy of plenty, it is very hard for me to go along with it. I understand unemployment is increasing in New England. You may say, "Help the farmer and he will buy goods from New England." That is not the whole story. There are people in my district who need cotton clothes. There are people in my district who need food. Have we so broken down in imagination that we cannot find a system of distribution to distribute farm raised and needed goods from the farmer to the consumer instead of operating on an economy of scarcity and cutting off the farmers' productivity?

In these closing minutes of the debate on this bill I still ask this Committee to give us a bill based on a philosophy of plenty, with an adequate system of distribution to the consumer, so we can vote for such a bill to help the farmer.

Mr. BIERMANN. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS. I yield.

Mr. BIERMANN. I dislike very much to hear a Member on this side indicate that the protective tariff increases wages. That is the reverse of the fact. The highest wages are paid in those industries that are not protected—the automobile industry and in such occupations as plastering and brick-laying, and on the railroads, where there is no semblance of tariff. The tariff has raised prices, thrown men out of work, and, as for raising wages, I do not think anybody on this side still believes in that old fetish.

Mr. PHILLIPS. I do not think anyone can maintain that any tariff ever written has been or will be 100 percent correct. What we need, in my estimation, is a better system of distribution.

[Here the gavel fell.]

Mr. REED of New York. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I perhaps ought to apologize to the Members of this House for taking the floor at this late hour in the day, but this provision, section 402, is, to my mind, the one sound provision in this bill. I think you see in this particular section evidence of real statesmanship.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. CASE of South Dakota. Has the gentleman considered the requirement that before this money can be expended in

any State or Territory that the State or Territory must hereafter appropriate \$250,000 for physical facilities without regard to whether it already has these facilities?

Mr. REED of New York. Yes; I have seen that provision and I think it is sound.

Mr. CASE of South Dakota. That provision, I think, should be revised.

Mr. REED of New York. In my judgment, most of the land-grant colleges in the States, and many other colleges—I know it is true in my State—have facilities for carrying on very exhaustive research.

Mr. CASE of South Dakota. Absolutely, but this provision will require them to duplicate the facilities to the extent of a quarter of a million dollars.

Mr. REED of New York. I am sure that if these funds are directed to these colleges to provide the necessary additional facilities to properly carry out the work, we shall accomplish the real purpose sought under this provision.

Ever since I have been in Congress, in cooperation with both sides of the House, I have urged on every appropriate occasion the importance of vocational agriculture. It has been my hope and my dream that the day would come when in all the farm communities of this country we would have vocational agriculture in the schools available to the farm boys. That is a part of a long-range program. You are teaching the oncoming young people of the farm the scientific aspects of agriculture. Here comes another step that logically follows. We have trained these young people and they are prepared to enter into those lines of agriculture in a scientific way so they can avail themselves of the results of research.

Under industrial research we have seen industry prosper and sometimes make more out of the waste material than they were making out of the products for which the industry was originally organized to manufacture. We have seen cellophane come in as a by-product of immense value. We have seen the packing houses utilize every last scrap of the animal down to the hair, with no waste whatever, and I predict that if we go along on this long-range program as is provided for in this section, that eventually this scientific activity alone will solve the surplus crop problem in this country. I am heartily in accord with this one specific provision contained in this bill. [Applause.]

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WARREN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 8505, the farm bill, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. KLEBERG. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at the juncture when I last interrogated the Chairman and to include a letter and a statement from Mr. A. B. Connor, Director of Extension, of the Agricultural and Mechanical College of Texas, together with some figures having to do with moneys already expended in research for the operation of the Forests Products Laboratory at Madison, Wis.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARRY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks on the subject of New Housing.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a speech made by the Secretary of the Interior, Harold L. Ickes, last night in New York.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURDICK. Mr. Speaker, with respect to a request I made on the 7th to insert a speech in the RECORD, may I say I have an estimate here from the Public Printer, and the speech will consume three and a half pages, or \$67.20 over the regular allowance. I ask unanimous consent that notwithstanding the estimate I may insert the speech in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. JOHNSON of Minnesota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of the President's curtailment of Federal aid to the States.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LEMKE asked and was given permission to extend his own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on tomorrow, after disposition of matters on the Speaker's table and at the conclusion of the other special orders, the gentleman from Minnesota [Mr. KNUTSON] may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LORD. Mr. Speaker, I am not going to make a political speech. I want to discuss a subject that transcends all politics and crosses all political lines, and that is the contemplated action on the part of our Government to enter into a reciprocal-trade agreement with Czechoslovakia, which includes shoes.

I want to take you back to my district for a moment to the industrial valley of peace and fair play. Beginning at Binghams, N. Y., and extending for a distance of 20 miles up and down the Susquehanna Valley where we have the villages of Johnson City, Endicott, and Owego, the major industrial activity is the manufacture of shoes. We have a number of manufacturers, the largest of which is the Endicott Johnson Corporation. This concern has been built up during the past 50 years by that great humanitarian, George F. Johnson. He started as a shoe worker at the bench, and now the employees in his factories number 20,000 men and women. This corporation is the second largest in the Nation and the third largest in the world.

I am making this address today in behalf of the workers in this great industry who stand to lose their jobs should the proposed reciprocal-trade treaty with Czechoslovakia be made in favor of the Bata Shoe Co. I want to tell you something about conditions under which my people work.

For many years they have worked an 8-hour day, 5 days a week, or 40 hours a week.

The workers, not including the salaried people, earn an average salary of \$27 a week when they are working full time. In addition to this they have free recreation parks, swimming pools, tracks for horse racing, ball fields, picnic grounds, and all outdoor sports. They also have free hospitalization and free medical care for the workers and their families. The corporation builds homes for the workers at wholesale prices, sells them at cost with a small down payment, with weekly or monthly payments, and an interest rate of 3 percent. In addition to all this, if business is profitable, after a reasonable salary is paid to the officers of the corporation and interest at 6 percent is paid the stockholders, the balance is returned to the workers in bonuses. Therefore when the industry is prosperous the workers not only have good wages but also have their share of the profit of the concern.

The 20,000 people employed in our factories are not the only ones affected.

With a family of 5 to each worker 100,000 people are directly affected when they work on short time, as they are doing now. But another 100,000 are indirectly affected—the butcher, the baker, the grocer, and all lines of trade lose business, which may be far more important than the business we may possibly get from the foreign countries.

OUR GREATEST COMPETITOR—CZECHOSLOVAKIA

Czechoslovakia is a small country in Europe, about whom we have known little and cared less. Today we find them a menace to the prosperity and well-being of the shoe workers of our Nation.

They have a population of about twelve or fourteen million people, and they have located there the Bata Shoe Co., which is the largest shoe manufacturing concern in the world.

They not only have plants in Czechoslovakia but have plants in 10 other countries, including England, France, India, the Netherlands, Syria, and many others. They have more than 3,000 retail stores throughout the world, with 35 in the United States. They apparently aim to, and have succeeded fairly well, in controlling the shoe industry of the world.

In 1919 the United States exported to other countries, in round numbers, 22,000 pairs of shoes, valued at \$75,000. At the present time we are exporting 1,500,000 pairs of shoes at a value of \$3,000,000. The great bulk of the export trade which we have lost I understand has gone to the Bata Shoe Co. At the present time there is a tariff of 10 percent ad valorem on welt shoes, 20 percent ad valorem on cemented shoes, and 30 percent ad valorem on McKay sewed shoes.

When in 1932 the tariff on McKay sewed shoes was 20 percent ad valorem—this is all based on the value which the Bata Shoe Co. places on their shoes—shoes came into this country so fast from Czechoslovakia and our manufacturers were losing so much trade that they appealed to President Hoover for relief. By Presidential order he raised this percentage from 20 to 30 percent. Immediately the shipment of shoes lessened very materially and then the Bata Shoe Co. turned to the manufacture of cemented soled shoes where the tariff was only 20 percent ad valorem.

From less than 180,000 pairs imported in 1935 the number of cemented shoes imported in 1936 increased to more than 1,000,000 pairs, or more than 500 percent. In the first 4 months of 1937 there was an increase of more than 300 percent over 1936.

If the same ratio continues throughout the year 1937 imports will total between three and four million pairs of shoes coming into the country from Czechoslovakia.

This one concern, the Bata Shoe Co., will have taken about 4 percent of the shoe industry of the United States against 100 manufacturers which we have here.

The Bata Shoe Co. is delivering in the United States the shoe that competes most with our trade at \$1.17½ a pair. The cost of manufacture in this country would be \$1.47 or more per pair. One concern recently lost one order of more than \$350,000 and more than \$1,000,000 this year.

There is no question but that this foreign company can manufacture shoes for less than we can because of lower living conditions and their lower wage scale. According to compiled statistics, girls under 18 years of age are employed at about 13 cents an hour, boys under 18 years of age at about 18 cents an hour, and reports show they have an average wage of about 28 cents an hour for all their employees.

The average wage in the United States is more than 51 cents an hour, and in the factories I represent it is about 67 cents an hour.

Now, what is going to be the result of the proposed reciprocal-trade agreement, providing the tariff on shoes is lowered? Our manufacturers, not only in my district but throughout the States, cannot compete at the present time.

Perhaps we will have to resort to 40 cents an hour, as proposed in the wage and hour bill.

At the present time business is poor; our employees are working 3 days a week, 8 hours a day, or 24 hours a week.

President Roosevelt has called upon industry to employ more labor and is holding hearings on a proposed reciprocal-trade agreement which has for its purpose the lowering of the too little protection we have on shoes.

If the business is to go forward, the tariff will have to be increased to at least 30 percent ad valorem, based on our value of the shoes.

What are we going to do about it? Here is a little country of twelve or fourteen million people against 130,000,000. They are seeking to supply the world with shoes. They do not need the business for their own countrymen but are seeking world control of the industry.

Suppose we traded our shoe industry with them and sold them all the goods they buy abroad; we would still be the loser.

The Czechoslovakian factories and stores have been such a menace to France that they have passed laws to control and reduce the number of their stores. We may wake up when it is too late.

It is not only the shoe-manufacturing concerns who are interested, but there are our tanneries, our manufacturers of leather, and our hide industry. It is all going to have and is having a depressing effect upon business.

A few days ago there was great rejoicing in the Well of this House because enough signers had been secured to bring the wage and hour bill before the House for consideration. What good is a wage and hour bill going to do us if our manufacturing is to be done in Czechoslovakia?

The Tariff Commission is holding a hearing on the proposed reciprocal-trade agreements on shoes Tuesday, December 14, at 10 o'clock in the morning.

The hearing is to be held in the old Land Office Building. Members of Congress and others can be heard at this time and express their views on this all-important question.

I am going to call on the chairman of the Committee on Labor, Representative Norton, if she is really interested in wages and hours for the workers—and I suppose she is—to assemble her committee and go before the Tariff Commission on Tuesday at 10 o'clock and protest against this proposed reduction in the tariff on shoes.

I am calling on every Member who signed this petition to bring the wage and hour bill up for consideration to show their good intentions by going before the Tariff Commission on next Tuesday and protesting the lowering of the tariff. I am calling on every Member of this House to join with me on Tuesday next, at 10 o'clock, at the old Land Office Building, and protest this proposed reduction in tariff.

This is not a political question. It is a question of whether our business shall go to Czechoslovakia, Syria, India, and England or whether we keep some of it for our own workers. [Applause.]

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein the A. A. A. payments of \$10,000 and over.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks which I made on yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WILCOX. Mr. Speaker, under the previous order of the House I was accorded the privilege of addressing the House for 35 minutes this afternoon.

I ask unanimous consent that the same privilege may be granted me tomorrow at the conclusion of the other special orders.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

HOOR OF MEETING

Mr. JONES. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. GAVAGAN (at the request of Mr. KENNEDY of New York), indefinitely, on account of illness.

To Mr. DREW of Pennsylvania, for 2 days, on account of illness in family.

ADJOURNMENT

Mr. JONES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 12 minutes p. m.), under its previous order, the House adjourned until Friday, December 10, 1937, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Merchant Marine and Fisheries Committee will hold a public hearing on H. R. 8532, to amend the Merchant Marine Act, 1936, to further promote the merchant marine policy therein declared, and for other purposes, in room 219, House Office Building, on Friday, December 10, 1937, at 10 a. m.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of Committee on Immigration and Naturalization in room 445, House Office Building, at 10:30 a. m., on Wednesday, December 15, 1937, for hearing on H. R. 8549, for public consideration of bill to deny United States citizenship to persons advocating government by dictatorship.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of Mr. CROSSER's subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Thursday, December 16, 1937. Business to be considered: Hearing on House Joint Resolution 389, distribution and sale of motor vehicles.

There will be a meeting of Mr. MALONEY's subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m., Thursday, December 16, 1937. Business to be considered: Hearing on S. 1261, through-routes bill.

There will be a meeting of Mr. MARTIN's subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Tuesday, January 4, 1938. Business to be considered: Hearing on sales-tax bills, H. R. 4722 and H. R. 4214.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, January 11, 1938. Business to be considered: Hearing on S. 69, train-lengths bill.

COMMITTEE ON THE JUDICIARY

The Special Bankruptcy Subcommittee of the Committee on the Judiciary will hold a public hearing on the Frazier-Lemke bill, S. 2215, to amend section 75 of the Bankruptcy Act, in the Judiciary Committee room at 346 House Office Building, on Friday, December 17, 1937, at 10 a. m.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FORD of California: A bill (H. R. 8662) to authorize the payment of additional compensation to special assistants to the Attorney General in the case of *United States v. Doheny, Executors*; to the Committee on the Judiciary.

By Mr. HAMILTON: A bill (H. R. 8663) to amend Public Act No. 784, Seventy-first Congress, entitled "An act to regulate the distribution and promotion of commissioned officers of the line of the Navy, and for other purposes"; to the Committee on Naval Affairs.

By Mr. ELLENBOGEN: A bill (H. R. 8664) to appropriate an additional sum of \$500,000,000 in order to provide for more adequate relief and work relief, and for other purposes; to the Committee on Appropriations.

By Mr. BOLAND of Pennsylvania: A bill (H. R. 8665) to amend section 3336 of the revised statutes as amended pertaining to brewers' bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. FISH: A bill (H. R. 8666) to extend the provisions of an act entitled "An act placing certain noncommissioned officers in the first grade" approved March 3, 1927; to the Committee on Military Affairs.

By Mr. MILLS: A bill (H. R. 8667) to promote interstate commerce by making certain interstate bridges toll free; to the Committee on Roads.

By Mr. BIERMANN: Joint resolution (H. J. Res. 533) to give effect to the nonrecognition of any situation brought about by means contrary to the Kellogg-Briand Pact; to the Committee on Foreign Affairs.

By Mr. BACON: Joint resolution (H. J. Res. 534) establishing a Federal Commission of Inquiry for study and report on the abolition of unfair labor conditions; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Missouri: A bill (H. R. 8668) for the relief of Nimfa Terranova; to the Committee on Claims.

By Mr. CROSBY: A bill (H. R. 8669) granting a pension to Ruth Davenport; to the Committee on Pensions.

Also, a bill (H. R. 8670) granting a pension to William R. Jarrett; to the Committee on Pensions.

By Mr. HAMILTON: A bill (H. R. 8671) for the relief of the Old Dominion Marine Railway Corporation; to the Committee on Naval Affairs.

By Mr. O'CONNOR of Montana: A bill (H. R. 8672) for the relief of Fergus County, Mont.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3559. By Mr. ASHBROOK: Petition of 132 farmers and business men of Licking Township, Licking County, Ohio, protesting against the farm bill and the wage and hour bill; to the Committee on Labor.

3560. By Mr. CURLEY: Petition of the Anniston Industrial Union Council, endorsing the McCormack bill (H. R. 8431) establishing a 5-day week for Federal employees; to the Committee on the Civil Service.

3561. Also, petition of the American Institute of Architects, urging repeal of undistributed-profits tax; to the Committee on Ways and Means.

3562. By Mr. PFEIFER: Petition of the Greater New York Retail Furnishings & Dry Goods Association, Inc., New York City, concerning House bill 4722; to the Committee on Ways and Means.

3563. Also, petition of Henry S. Levy & Son, Inc., wholesale bakers, Brooklyn, N. Y., concerning a processing tax on wheat and other flour; to the Committee on Agriculture.

3564. Also, petition of Samuel Knighton & Sons, Inc., New York City, concerning a processing tax on wheat; to the Committee on Agriculture.

3565. Also, petition of the United Paperboard Co., New York City, concerning repeal of the undistributed profits tax; to the Committee on Ways and Means.

3566. Also, petition of the New York & New Jersey Dry Dock Association, New York City, concerning Senate bill 2555 and House bills 7365 and 7863, transferring duties of Army engineers to another Government department; to the Committee on Expenditures in the Executive Departments.

3567. By Mr. KEOGH: Petition of the Dry Dock Association, New York City, concerning the transfer of the work now being done by the Corps of Engineers of the United States Army to another governmental department; to the Committee on Expenditures in the Executive Departments.

3568. By Mr. MERRITT: Resolution of the New York & New Jersey Dry Dock Association, of New York City, protesting against the enactment of the House bills 7365 and 7863 and Senate bill 2555, now pending in Congress, to transfer the work now being done by the Corps of Engineers of the United States Army to another governmental department with civilian supervision; to the Committee on Expenditures in the Executive Departments.

3569. By Mr. COFFEE of Washington: Letter in the nature of a resolution by the public affairs committee of the Young Women's Christian Association, Tacoma, Wash., in which President Roosevelt is commended for his policy of cooperation with foreign nations to find ways of stopping wars; urging the Secretary of War to support all reasonable efforts to discourage the purchase of Japanese goods; strongly approving the deferring of the invocation of the Neutrality Act on the ground that it does not discriminate between aggressor and invaded nations; to the Committee on Foreign Affairs.

3570. By Mr. CITRON: Petition of numerous citizens of Waterbury, Conn., calling attention to the setting up of a semimilitary camp at Southbury, Conn., financed and directed by aliens and indirectly sponsored by a foreign government, which is interested in promoting Nazi doctrine in the United States, and asking Congress to investigate; to the Committee on Immigration and Naturalization.

3571. By Mr. ARENDS: Resolution of the Board of Supervisors of McLean County, Ill., advocating the establishment of a Federal grant program to be set up by the Farm Security Administration, whereby farm laborers and farm tenants could receive a Federal grant in which local townships could cooperate in setting up a work program; to the Committee on Agriculture.

3572. By Mr. COFFEE of Washington: Petition of Local No. 1, Workers Alliance of Washington, Seattle, which local consists of 1,308 members, urging the support by Congress of the antilynching bill and wage and hour bill, and also favoring the early enactment of the bill introduced by Congressman JERRY O'CONNELL, of Montana, providing for a deficiency appropriation of \$1,500,000,000 and setting forth further that the said Workers Alliance is supporting the New Deal policies of the President 100 percent; to the Committee on the Judiciary.

SENATE

FRIDAY, DECEMBER 10, 1937

(Legislative day of Tuesday, November 16, 1937)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, December 9, 1937, was dispensed with, and the Journal was approved.